

A petition directed to her most excellent
Majesty, which is directed

1. And the how to compound the civil dis-
tinction in church of England.

2. A petition directed to her most excellent
Majesty, which is directed
of do respect to the rights of the
and therefor will make the compo-
und distinction more manifest.

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To the Queenes most excellent Maiestie,
 Elizab. by the grace of God, Queene
 of Englande, France, and Ireland, supreme go-
 uernesse in all causes and ouer all persons
 within her Maiesties Realmes
 and Dominions,



Rauiing vppon my knees pardon
 for my boldnes, I beseech your most excellēt
 maiesty, to heare me a little.

All your Highnes subiects that loue the re-
 ligion, honour your maiesty, and desire the
 good of the Realme, doe hartily bewaile the bitter contentiō
 about the questions of reforming the Church.

Many seeke to increase this contention. Some labour to
 appease it: but this will neuer bee till the trueth in these mat-
 ters be assured in the hearts of both parties.

I doe not nowe write eyther to pull downe Bishoppricks,
 or erect presbyteries. With whom the trueth is, I will not de-
 termine. For I knowe not. What seemeth most probable and
 true to me that I knowe.

Howe trueth should come to light, that is the question.

Writing of bookes in such manner as is nowe vsed, is end-
 lesse wearinesse to the fleshe: matter of further contention, by
 reason of impertinent and personall discourses.

*Howe true
 writing for the
 format may be
 compounded*

The troubles of Churches, and enmitie of Princes, wil not
 admit a generall Councell.

A free Nationall or Prouinciall Councell at home, were
 much to be wished, so that the Bb. and their followers did not
 ouerrule the rest. For it is against religion, law and reason, that
 the same men should be both iudges and parties. Or if this be
 not thought so conuenient,

There is a way deuised and much commended by^a lear-
 ned men, as a notable meane to compounde controuersies,
 namely private conferences by aduised writing, not extem-
 porall speaking the question agreed of. The arguments, the
 answeres, replies, and reioinders set downe, till both parties
 had fully said, all by-matters laid aside. In fine the whole to
 be published, that your maiesty, the honourable Councel-
 lours and Parliament may iudge thereof, that those thinges

A

which

^a *Admunit. de
 lib. concord. ca.*

^{19.} *D. Rein: pro-
 face to the
 Eng. Seminar.*

which on eyther part are founde faultie, may be redressed.

That a conference and further reformation be made as a needful. That all things be not so cleare with the Bb. but that further conference, triall, and reformation is requisite, appeareth.

1 By the lawes established, which expect a better and further reformation in Church-causes.

2 By the writings of our Divines in the common cause against the papistes.

3 By the confession of the Bb. them selves, and such as write in their defence.

4 By their suspitious and doubtfull handling of the matters in question.

5 By the testimony of learned men; and christian Churches who seeme to speake against the government by Bb. and for the gouernement by ausing Elders.

¶ The lawes expect a further reformation of the Church.

Your Maiesties most noble Father ynderstanding that the lawes Ecclesiasticall of this lande were corrupt, provided by Parliament, that 32. persons should peruse and correct them: gathering into one booke those that were good, which by his Royall assent should have the strength of lawe, all other Ecclesiasticall lawes to be abandoned out of this Church for ever.

Maister D. *Cranmer* and other reuerend men were delegated to this purpose. They collected into one booke many good things (as they thought) touching *Admonition of benefices*, *Excommunication for small matters*, *Residence of Vniuersitie men upon their benefices*, *Marriages without consent of parentes*, *Nursing of children by their owne mother*, *Divorces for infirmities of body*, *Pluralities*, *Broken Musicke in Cathedrall Churches*, *Deacons*, *The solemnities of Excommunication*, and *absolution without the assent of the people*, and many other things which are directly contrary to the practise and orders of the moderne Bishops. But this booke wanteth the Kinges confirmation, and the lawes Ecclesiasticall remaine in the same corruption as your Maiesties Father left them, notwithstanding the labours of those Reuerend personages and the act of Parliament, which was reuined and confirmed in the beginning of your Highnes most happy reigne.

*D. Cranmer
the learned
Bb. misse
many things
on our present
page.*

*Reformation
of Ecclesiast.
d pag. 29.
pag. 30.
pag. 37.
pag. 38.
pag. 39.
pag. 40.
pag. 41.
pag. 42.
pag. 43.
pag. 44.
pag. 45.
pag. 46.
pag. 47.
pag. 48.*

TO HER MAJESTIE.

p 5 & 6. E.
6. c. 1.
q 1. E. 1. c. 2.

Alfo in the booke of common prayer, which was lette forth by your Maiesties brother, & accepted by your highnes, there is prescribed a *Communion* to be vsed at a certaintime in the yeare not to continue euer, but till an order of Discipline praetised in the primitive Church bee restored; which were greatly to bee wished, as the authours of that booke doe saie, Yet this Communion standeth, and the Discipline there mentioned, is yet wanting.

The last expre-
ssion, another
kind of dispen-
sation is as
yet vsed.

7 Booke of or-
dering Mini-
sters.

The booke of ordering Ministers confirmed by lawe, presumeth that euery Minister should be a Preacher. For at the Ordination, the Bishop sayeth: *Take thou authority to preach the word of God.* Yet where the Bb. ordeine one Minister that can preach, they make twenty that can not.

The lawe loo-
keth vnto all
Ministers,
should be
Preachers,

1. E. 1. c. 3.
Services and
Sacraments.

Lastly, it is enacted, That all ornaments of the Church and Ministers thereof (such as are Surples, Coopes, &c.) shall be retained and be in vse as was appointed by King Edward the 6. not for vnichangeable continuance, but vntill other order be taken by your Maiestie, and your Highnes Ecclesiasticall Commis- sioners.

The Lawe in-
tendeth the
abolition of
Surples, &c.
Coopes, &c.

2 The Defenders of our common cause expect a further Reformation.

Those things (in effect) be acknowledged by some of our chiefe defendours of religion against the papistes. For vwhen they obiekt That we are glad to borrowe their ceremonies, & to haue an apish imitation of their Masse booke, answer is returned; That diuers abuses in Ceremonies and Discipline were tolerated among vs, our Church therein yielding to the infirmities of the weaker sorte, which were to be altered, when people grewe to ripper knowledge.

Papistes in-
tendeth our
Ceremonies
and Commu-
nion booke.

7 Briefe mo-
tions
u D. Fulk Re-
uerend, p. 5 & 8.
in his works.

3 The Defenders of the state of Bb. expect further Reformation.

All the Bishops in their Canons do confesse, that Non- residence is a filthy thing, odious to men, & pernicious to the church, yet what is more common.

1 Canon, dis-
p. 10.

By the lawes of England, in the ordination of Bb. the Archbishop should lay the Bible vpon the Bishops neck that is to be ordeined, and put a pastorall staffe into his hande. If

The Bb. should
aswell vse pa-
storall staves.

7 Parke of
Ord. Priests
and Bb.

A PETITION

in ministers
Surpleſſes

the Archbishops did not esteeme theſe as vaine ceremonies, they would vrge them with as great vehemency vpon Bb. as they doe Surpleſſes vpon miniters.

Excommunicate
by lay Chancery
condemned by the
Prill.

3 My L. of ¹Canterburin his booke against Maister Cartw. ²D Whig. pag. 679.
ſayeth, That Chanceryellours who are not Miniſters, ſhould not excommunicate. The aurohors of the ³Remonstrance, and ⁴Matthew Sutcliffeſ bookes, defenders of the Hierarchie by writing thinke it a moſt vnmeet thing, that ſuch as bee no miniters of the worde, ſhould meddle with the keyes of the Church, yet the contrary is daily vſed.

² D Whig. pag. 679.
³ Remonstr. pag. 178.
⁴ Disputes. Mat. Sutcl. pag. 83.

B of London his
Porter miniſt.
Many lay de
and ignous
miniters.
Our Reformation
only tollerable.

4 The Biſhop of London ¹confeſſeth, That he made his Porter miniſter, and he other Bb. doe acknowledge, That manie lewde and vnlearned miniters haue bene made of late in Englan-²d. ³Which they will not ſeeme to defende. Beſides they ſay, ⁴Wee haue yet but a tollerable manner of reformation: all which doe cun-⁵vince a further reformation.

¹ Admoni. of Mart. Marp. pag. 53. 1. ed.
² Ibid. pa. 99.
³ Ibid. pa. 139.

Punishment of
Adulterie,

5 D. Coſins, one of the high Commiſſioners writeth, That the punishment of Adulterie is to nulle.

¹ Answer to the Abstract. pag. 249.

Subscription
with ex officio
Excommunication
Silencing of
Minist.

6 A learned man and friend of the Bb. ¹noteth as abuses, Their vrging of Subscription, Their oath ex officio, Their excom-²munication for trifles, and eaſie ſilencing of miniters.

¹ Answer to the church of England was printed.

4 The ſuſpitions and doubtfull handling of the controuerſed matters, imployeth ſome neede of reformation and conference.

The Bb. con-
ſiſſe, there was
a gouernment
by Elders.

1 My L. of Cant. ſpeaking of the maine controuerſie touching gouernement By Sen. or Elders, ſayeth, That hee ¹noteth that the promiſſus Church had in euery Church certaine Seniors, to whome the gouernement of the Congregation was committed. In a booke againſt the Marſhelate ſubſcribed (as I haue heard) by the Archb. of Cant. the Bb. of Winch. Line. & London, it is affirmed, that the gouernement by Elders was vſed vnder the ²Lawe, and ³practiſed vnder the Goſpell by the Apoſtles, though not fit for our times. But repenting this plaine confeſſion, they haue cauſed certaine wordes importing the contrarie to be printed vpon a ſhred of paper, which paper was paſted in all the bookes of the firſt impreſſion, to couer & conceale their former aſſertion.

¹ D Whig. pag. 654.
² Ibid.

¹ Admoni. Marp. pa. 134.
² Ibid. p. 135.

2 The Remonstrance coming after, holdeth, there vvas neuer any gouernement by Elders in the Church, but yeeldeth,

TO HER MAIESTIE.

1 Remonst.
pag. 166.

in pag. 9.

deth, that if the ¹ Elderſhip began in the Lawe and continued in the Goffell, that then it ſhould ſtande to the worldes ende. For ſomuch as is preſcribed in the new Lawe, no preſcription ought to bee made againſt it.

Vpon which croſſe aſſertions laide one vppon another, the aduerſe partie may preſſe out the conſuſion of all the controuerſie.

If the Elderſhip began in the Lawe, and continued in the Goffell, then no preſcription may be made againſt it, but it ſhould ſtande for ever. So ſaith the Remonſt.

The elderſhip concluded out of the aſſertions of the Breth.

But the Elderſhip began in the Law and continued in the Goffell. So ſaith the Bb.

Therefore no preſcription may be made againſt the Elderſhip, but it ſhould ſtande for ever.

a In his Diſputat. & treat.
o Treat. in
Aug. pag. 213.

3 But one *Matthæus Sutcliffe* coming after theſe, controulleth both: for he proteſteth there was neuer anie gouernement by Elders vnder the Goffell, or if there were, yet the gouernement vſed by the Apoſt. is changeable, not of neceſſitie to bee continued. Not content herein to make the ſent of our Church deeper then enter it was, hee hath openlie in latine defaced ſoſſeine Churches (of whom *D. Whitgift* and other haue alwayes written honorably) that wee might not onely be at warre within our ſoules, but with ſtraungers alſo. Whereby it is likely there will ariſe as dangerous trouble to the Churches about Diſcipline, as hath grown by the queſtion of Conſubſtantiation, to the great offence of the common aduerſarie, and generall diſquiet of all Chriſtendome.

Matth. Sutcl.
ſupplaceth his followers.

He miniſtred occaſion of great diſcord in the Churches.

Touching the ſtate of Bb. diuers who nowe moſt egerly defende; when they were neareſt to God, that is, in miſerie & anguiſhe of ſoule, did ſpeake againſt it: but afterwarde inclining to the worlde, with their conditions they altered their opinions.

The Prelates haue written againſt the ſtate of Bb.

Harborne for ſuchfull ſheweth priu. as Seras/burrough

1 Maſter *Elmer*, nowe Biſhop of London, writeth thus, *Chriſt ſayeth Luc. 12. Who made me a Iudge betweene you?* As though hee would ſaie, It belongeth not to my office to determine matters of pollicie and inheriſance, that belongeth to the ciuill Magiſtrate. If hee had thought it had bene within the compaſſe of his function, why and with what conſcience reſuſed hee to ſet them at one, who were at ſtriſe, and to put that out of doubt, which was in ſure? If hee might doe it and would not, hee lacked charitie and did

The B. of Lon. his reaſons againſt ciuill authoritie in eccleſiaſtical perſons.

did not his anoth^r. If it belonged not to him, howe belonged it to a-
me of his Disciples or successors? Had not bee as large a commis-
sion as he gave? Or could hee give that he had not? But hee know-
ing his office as the Prophetic Esay had foretolde, to preach the gos-
pell; and would doe nothing without warrant. And therefore be-
ing asked, if hee were a King, answered simply and by a plaine ne-
gative, My kingdome is not of this worlde. If his kingdome were
not here, neither the ordering of pollicies, &c. Yea when they would
haue taken him up to haue made him a King, as one that refused
that belonged not to him, hee conueyed him selfe from amonge them.
If Imperiall iurisdiction belonged to him, why refused hee his cal-
ling? If it did not, where had Paul or any other, anye authoritie to
meddle with that which hee refused? Seeing hee sayeth: As my
Father sent mee, so sende I you. In another place, Christ knowinge
the bondes of his calling, would not meddle with externe pollicie, &c.
Dinner man thinks by this example should not giue them selves too
much the bridle; and too large a scope to meddle too farre with mat-
ters of pollicie. If these two offices, I meane ecclesiasticall and ci-
uill bee soumbled in both functions, there can bee no quiet or well or-
dered common wealth. And againe, Princes of the Nations doe
beare rule like Lords, it shall not bee so with you. It falleth not into
an Apostles or Church-mans office to meddle with such matters.

For none going to warre, should leaue him selfe with the affaires of
this life: it is enough for them to waite vpon one office, to attende as
sole priestes, not as errant Bayliffes. And elswhere:

Come off yee Bishops, away with your superfluties, yeelde vp your
thousandes, bee content with hundreds, as they bee in other reformed
Churches, where there be as great learned men as you are. Let your
portion bee priestlike and not Princelike. Let the Quene haue the
rest of your temporalities, to maintaine warres, and to builde schooles
throughout the Realme, that euery parish Church may haue his
Preacher, euery Citie his Superintendents to liue not pompously.

Which will neuer bee, vnles your landes bee disperfed and bestowed
vpon manie, which now feede and fat but one. Remember that A-
bimelech, when David in his banishment would haue dined with
him, kept such hospitalitie, that hee had no breade to giue him, but
the Shewbread. Where was all his superfluitie to keepe your pre-
tended hospitalitie? For that is the cause that you alleadge you must
haue thousandes, as though you were commanded to keepe hospitali-
tie rather with a thousande, then with an hundred.

This booke was written in defence of the lawfull regi-
ment

It is a con-
fession that
one man ha-
ueth eccle-
siasticall and
ciuill charge.

It must yeld
vp their chur-
chandises.

Howe Bb. H.
mings should
be employed.

Hospitalitie no
reason why Bi-
shops should
haue great
revenue.

Sam. 31.

Sam. 31.

ment of women, but now the author labourerh to suppress this booke, tenderinge more the state of the bb then the Queenes Crowne.

Letter 50, M:
Bull dated
dec: 5, 1564
in press, 1565

2 Maister Bullingham before hee was Bishop, being arrived at Embden, after many stormes, wrote vnto a godly man in this manner: *Would God, Maister Bull, that all the Prelates in Englande had bene with mee when wee fell, casting off Cables, riding as anebur in the raging sea, There would have bene ringing of square cappes, renting of Rochets, desing of Bishoppricks, despising of pompe, promising a newe life, crying for mercy. O what a tragedie would there have bene! VVell, well, though now they walke drie shoode in their pallaces, there is a God that will trie them, and all his people by fire or by water, unlesse wee hartly repent. Grace to open your eyes, O Lord, vnto our sinnes, Amen.*

p of the
Primo: Supre
macy pag: 916

3 D. Bridges before he intangled himselfe with the Disciplinarie controuerties, writing against the papists, vseth these wordes: *Christ barbipt such a barre betwene Bb, and Priests, that his spiritual Bb. cannot haue earthly kingdomes. And againe, where the papists helde that the Pope was not propetic but vnproperly a l. orde: to take away this, he addeth: Christ himselfe debarreth all his spiritual Ministers from ruling of temporall kingdomes. Christ hath both propety and empowrment all ready shew. Vos autem non sic. You shall not do so. These wordes strike deade Maister Sanders. Further, whereas the papists account *Aerius* and al Protestants heretikes, because they holde that by Gods booke *A Bishop and a Priest are all one*, D. Bridges doeth therein misse. *Aerius* and the Protestantes our of *Flacour*, *Peter Lombard*, *Dionysius* and the *Antiquarian of Colles*. But suffens that time, writing in defence of Bishops, he maintaineth their Lordshippe, and accounteth his brethren *Aerius* heretikes. This doublinge by such as defende the Hierarchie, must needs cast great doubtes in the heares of all men.*

D. Bridges as
first Lord
chap of...

D. Bridges as
first Lord

q of the
Primo: Supre
macy pag: 132

governance
pag: 106
1. 1. 1.

1. 1. 1.
1. 1. 1.
1. 1. 1.

Reformation.

These followers of Reformation gve greater colour to their cause by the testimonie of aunient and late writers, whom they pretend to speake against the manner of our gouernement by Bishops, and for the gouernement of their Elders.

h *Field pag. 48.* Pope nowe chymeth. In another place, * Christ forbiddeth Ministers all Dominion and worldly government. Mat. 20. And againe, * S. Peter forbiddeth Ministers to exercise Dominion or Lordship over their flockes.

k *Booke in 4th pag. 126.* 3 D. *Bisbon* Warden of *Winch.* hath thus written: * Christ expressly forbiddeth his Apostles to be rulers of Nations. The Kings of the nations rule over their people, &c. with you it shall not bee so. In which wordes Christ doeth not inuade the power of Princes as tyrants, but distinguisheth the calling of the Apostles from the manner of regiment which God hath allowed the Magistrate. Christ saith not, Princes are tyrants, you shall deale more courteously, but he saith, Princes be Rulers by Gods ordinance, you shall not be so, &c. Then he proueth, that *Karakryenem* is not meant of Tyrannical, but of Rule with authority, and shutteth vp his argument in this sorte: Therefore the conclusion is inevitable, That Princes may lawfullie compell and punish their subiectes, but Bishops may not. This manner of reasoning against the papistes hath incensed men vehemently against L. B. If these reasons be not good, *Maister Jewell*, *Maister Nowell*, and *D. Bisson* haue much to answer.

D. Bisson pag. 126
Lords of
Bishops

Karakryenem
kein, mean
of lawfull,
not tyrannical rule.

5 On the other side, these whose pursuers of Reformation haue had great inducements to enforce the Eldership.

1 That there was a government by Elders assisting the ministerie in the primitive Church, is collected obscurely out of *Ignatius*, *Tertullian*, *Cyprian*, *Augustine*. More clearly out of *Ambrose*, *Hierome*, *Possidonius*, *Socrates*, and the *Canon lawe*.

That there
was a govern-
ment by Elders.

2 The Diuines of later time (almost) generally doe gather the Eldership out of the Script. namely, *Zuinglius*, *Martyr*, *Aretius*, *Caluin*, *Iliricus*, *Hemingsius*, *Hypertius*, *Iuntius*, *Beccer*, *Beza*, *Piscator*, *Oleian*, *Bullinger*, *Szegedius*, *Musculus*, *Heshusius*, *Robert Stephen*, *Daneus*, *an Italian*, *Bernard de Loquer*, *Bastignus*, *Mornetus*, *Sa-deell*, *Nowell*, *Falk*, *Wolakers*, *Sweetius*, *Prissus*, and

a *Brill. ad*
Troian. &c
b *In Apol.*
c *19. & lib.*
d *De Baptis.*
e *Luk. 2. ep. 5.*
f *Lib. 3. ap. 10.*
g *Epi. 18. ep. 23.*
h *Ob. 4. ep. 5. &c.*
i *Id.*
j *De verb.*
k *Domin. Mai.*
l *Serm. 19.*
m *In 1. Tes.*
n *In 1. Es.*
o *an Italian.*
p *De ver. Eccl. lib. 1.*
q *De Eccl.*
r *In 1. Cor. 12.*
s *In 1. Cor. 12.*
t *In 1. Cor. 12.*
u *In 1. Cor. 12.*
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"*Trelection*. Lastly the Churches in the lowe "Countries, France, Helvetia, and "Scarlaude doe consent herein.

3 That the same gouernement by Elders should continue vnder the Christian magistrates, is agreed by

That the gouernement by Elders should continue vnder a Christian Magistrate

John Alasco, *Versnouius*, *Mezzaninus*, *Zwinglium*, *Oecolampidius*, *Zuichinus*, *Capito*, *Miconius*, *Farrell*, *Karet*, *Melancthon*, *Bucer*, *Caluin*, *Martin*, *Immus*, *Beza*, *Zanchinus*, *Danens*, *Versnouius*, *Bullinger*, *Stephen*, *Caluicium*, *Colodanum*, *Tremulius*, *Pinaldus*, *Tanergius*, *Poxonius*, *Chausseus*, *Bertrandus*, *Carpenterius*, *De Plarre*, *Perilius*, *Henricus*, *Serranus*, *Caluus*, *Potius*, *Golarinus*, *Iacomus*, *Dupleus*, *Szegedinus*, *Hesbuisius*, *De Loques*, *Bastingsius*, *Pallanus*, *Saccanus*, *Emker*, *Rainolds*, and others most rare politikes of this time, especially *Eusebius Cosmopolitanus* and *Bodin*. *Bodin* having discoursed vpon the rising falling, conuersion, and translation of the principall Empires, Kingdomes, states and common wealthes in the worlde at length descendeth to the state of Geneva, & giueth a very honourable testimony of the great profit arising by the Discipline and Eldershippe to that common wealth. His wordes be these: But this is to be commended in Geneva, if there be any thing in the worlde worthy commendation, which also maketh the common wealth to flourish though not in riches and largeness of dominion, yet surely in vertue and Godlinesse. I meane the Discipline of the Minister (or Elders) which is as excellent and becometh a way as can bee deuised to repress the faulces of men, and such enormities as can not bee redressed by any humane Lawes and indgements. It is this censure is according to the rule by Christ prescribed. Namely, at the first secretly and friendly, after wards somewhat more roundly and sharply. Then if the partie doe not relent, hee is interdicted solemnely and seriously from the participation of the beauenlie mysteries. If this doth no good, then the Magistrate punisheth. Whereupon it followeth that such things as are not punishable any where by Lawe, are without any faine or excuse reformed thereby those Censures (or Elders) who bee greatly reuerenced among the people, by reason of their vertue. Therefore

Bodin testifies of the Discipline and Eldership in Geneva.

The Christian profession in Geneva.

Notunnely vnto the Eldership.

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it is, that no whoores, no drunkards, no dancings, no begging, no idle persons are to bee founde in that citie. The more popish and corrupt that this *Baden* is, the more auailable and lesse partiall is his testimony in this matter. I would to God we might see the like effect in any City or Towne in England, wrought by the gouernement of L. Bb.

4. This gouernement by Elders is commended to be vsed in all Churches for euer by the Churches in *France*, the *Loire Countries*, in *Heluesia*, in their latter confession whereunto subscribed the Churches of *Tigaur*, *Zerne*, *Scaphusia*, *Sainti Galls*, *Rberia*, *Myllaine*, *Bienne*, *Genene*, *Sauoy*, *Polonia*, *Hungary* and *Scotlande*. Wherein be thousandes and ten thousandes of the most excellent Diuines vpon earth.

5. Lastly, this gouernement by Elders ioyned to the ministers, hath bene vsed (as I haue heard reported) vnder the Emperour in *Bohemia*, the *Turke*, and *Bassages* in *Hungary*, the *Papistes* in *France*, the *Protestant* magistrates in *Scotland*, *Saxonie*, *Countrie Palatine of Rhene*, *Heluesia*, *Sauoy*, *France*, *The loire Countries*, *Scotlande*, and many places in *Germanie*. Though some Churches and learned men doe not like of excommunication (in which matter they condemne our state) yet I protest in the presence of Almighty God, that in all the course of my studie, touching these controuersies, I haue not (to my remembraunce) founde, reade, or heard of any protestant Church, or learned man in the worlde, who misliketh that certaine Elders, or graue personages should jointly gouerne the Church with the ministers, but onely wee of England. Wherein we at vnwares doe impeach the Parliament and his maiesty of indiscretion, which haue thought most meete to giue the chiefe managing of the Church not into the handes of one Bishoppe, but of many ecclesiasticall Commissioners, vvhreeof some bee ministers, and some laymen, therein resembling an ecclesiasticall Eldership. The Bishops wisethat the ecclesiasticall Commissioners were more common. And I thinke if it were settled in yoe places more then it is, and should gouerne by the worde of God and lawes of this Realme, that there would arise more profit thereby to Religion, then yet hath bene founde by the Bb.

To drawe towards a conclusion of this matter, It may be that they who haue attained to as sounde knowledge in all pointes of doctrine as any since the Apostles time, should mi-

r Harm. conf.
pag. 359.
1 Ford pa. 363
r Ford pa. 139
v See pref. to
the Harm. of
confess and
The script.
desumps.

The Eldership
commanded by
christian churches
to shew
Magistrates.

In what places
of christendom
Elders be used
gouernours
with Ministers

The chiefe among the
Heluesia churches
haue ruling
Elders. See
Smaller de Re-
pub: Helu: lib.
2. p. 148. 157.
172. 183.

The chiefe
commissioners
resembling
Eldership

x. Admonit.
against M. M.
pag. 81.

Great B. sh.
haue shew the
apostolich church

described a gouernment by Elders.

Stake in Discipline. It may be that they whom the spirite of wisdome hath guided in expounding the scriptures should be alwaies forsaken of that spirite, vvhhen they came to expounde or speake of a text concerning discipline. It may bee that all these lightes of the world which auowe there was a gouernement by Elders in the primitiue and best Church did and doe grope in darkenesse, and that the authours of the *Remonstrance* and *Marshe's Treatises* haue founde out the trueth, but vntill they haue approued themselues as profitable to the Church as the fourmer vvriters haue done, men (not partiall) will still make scruples in these matters.

Grant probablie that the gouernment by Elders is not a matter of such confusion as is supposed.

Againe, it maie be that the exercise of this gouernement is a matter of confusion, discord, dishonour to the magistrate, puritanisme, rebellion, a marprince, a marlawe, a marstate, and mar-all, but it is vnlikely that it should be admitted vnder so many Princes Christians and infidels, papists and protestants, and commended by such pearelesse Diuines if it deserued any such taxation.

It is fro my purpose in this place to dispute which gouernement is better or worse, or whether these authorities and testimonies (which I call God to witnes, I take to be according to the allegation) be agreeable to the trueth or otherwise: onely I trust I haue sufficiently prooued mine intenuon, namely, that, *Seeing the lawes established expect a further and better reformation, Seeing the writings of our Diuines in the common cause against the Papistes, Seeing the confession of the Bishops & their followers, Seeing their doubtfull & suspitious handling of these controversies, and Seeing the testimonies of Councells, Fathers, late writers, and Churches imply so much.* I conclude, that things go not so cleare for the Bb. but that further reformation, conference, or triall, is expedient.

Current should be used so the Sect of Reformers will the gouernment be decided.

Till which Reformation, tryall and conference be atchieued, all that bee not blinde in effectiō doe wille that these followers of Reformation may receiue more courteous vsage then yet appeareth. For (most gracious Soueraigne) they bee your maiesties subiectes aswell as the Bb. They be professors of your owne religion aswell as the Bb. They be Ambassadors of Christ Iesus aswell (if not more in regarde of their painfullnesse) then the Bishops. If you will not heare them, whom can they fly vnto? If you will not pity their manifold miseries

series

series and molestations, then they are destitute of humane comforte. They deserue fauour. They haue brought many to the knowledge of God, who otherwise shoulde haue remained captiues vnder Sathan and maytown to your Highnes.

They are vnreprouable before all men, saue in this question of Reformation. Wherein if they offende (as it maie bee they doe, for the best men be lyable to errour) suchie is to bee thought they fall of ignorance.

1 The writings of the Bb. them selues. 2 The disputations of our Diuines against the papistes, published and printed by authoritie. 3 The testimonie of the principall Diuines in Europe. 4 The vntoward ruling of the Bb. 5 And the apparant vilitie by gouerning Elders, doe lye as offensiue stumbling blockes in their way.

To the ende that these men may haue more mercifull acceptation, and may not be subiect and lie open to the bloudie desires of their aduersaries, whereoff (no doubt) some bee holloie harted papistes, and some without God in this worlde, who neither regarde Religion, Prince, Bishop or Countrey, but with their own ease and aduantage. I haue (vnder the fauour of better iudgement) taken in hande to pleade, not for any landes or tenementes, but for the liues of your Maiesties most loyall subiectes and Gods faithfull seruantes (for God may haue great interest in them, though they erre in Discipline) whom some do drawe within the statute of *Naves*, because they doe write for Reformation. The wordes of the statute Be theset.

23. Eliz. cap. 2.
Act 11. 6.

If anye shall aduisedly and with a malicious intent devise, write, etc. any manner of booke, writing, etc. containing falsse, scandaious and slanderous manner to the diffamation of the Queenes Maiestie (that now is) or to the incouraging, stirring, or moving of rebellion, or insurrection within this Realme, hee shall suffer and forsaie as a felon. From this law it is thus reasoned.

For the former wrote booke to the diffamation of her Maiestie, and to risse rebellion, doe offende against this Statute, and are felons.

They that write for Reformation, make booke to diffame the Queene, and raise rebellion.

Therefore the writers for Reformation offende against this statute, and are felons.

They proue the first parte of the Minor in this manner.

They thus diffame the Bb. whos members of her Maiesties

The reason why some haue gone so farre in matters of Reformation

flies

their study, pollicie, and upbelle by the lawes, I doe diffame the
Quesmen in good and vail. *Tuncius* and *Andreas* and *T. monox*
They that write for Reformation diffame the Bb. *Sec* would edz

Touching the second point in the Minor, the followers of
 the Bishops would proue that the seekers of Reformation doe
 write to stirre and moue Rebellion. First by argument drawin
 from the generall scope of their writings. Secondly, by partic
 ular supposed mutinous and rebellious sentences scattered in
 the bookes written in defense of Reformation.

First, Their generall argument is to this effect: *They* which

They that write to moue discontentment in the mindes of the sub
 iect against the government receiued, doe write to moue a rebellion.
 For Discontentment is the mother of Rebellion.

The Seek of Reformation write to worke a discontentment in the
 mindes of the subiect against the government receiued.

Therefore they write to moue a Rebellion.

The supposed mutinous speeches which they gather out of
 the bookes which speake for Reformation are these.

D. Banc sayeth that *Martin* the earnest *Presbyter* sheweth a Ser. pag. 83.

Others obiect a place in *Martin* Sower, where hee mention
 neth a hundred thousande handes, and saith, *That* these so man
 y together would strike a great stroke.

D. Cosin enech one *Francis* Twinn, page 28, who holdeth
 That people may resist the Princes that binder the Presbyteries, and
 And that in the seconde Admonition, page 29, it is sayd, *That*
 many thousandes in Englande desire that platforme, and that greate
 troubles will come of it, if they be withstood in their desires, &c.

If I were perswaded that any seeker of Reformation did in
 tend either to diffame his Maiestie, or to raise rebellion, I am
 so farre from approving his fact or writing in his defence, that
 I adudge him rather to be punished as a traitor then a felon.
 But because I assure my selfe that they bee guiltlesse of these
 crimes, in render regarde of innocencie, and of his Maiesties
 most godly lawes, which I thought not to be peruerred, I haue at
 tempted to answere the quarells of their aduersaries in this
 behalfe. *Saluo* *semper* *nature* *indictio* which clause I will haue to
 runne and reache from the beginnunge to the midfts, from
 the midfts to the end, of all this treatise.

For answere to the first point in the argument, I doe make
 good that

Martin the Seek of Reformation doe diffame the Bb. who bee
 men

How all Seek
 of Reformati
 are proued
 Rebels.

A reproof of
Martin *Junius*

b Answer to
 the Abstract.

How all Seek
 of Reformati
 are proued
 Rebels.

members of her Maiesties bodie politike and upheld by his lawes, yet they doe not disfigure the Queene, as this statute intendeth.

In my vnderstanding, there be two generall Bodies politike in this lande. The one, the Bodie politike of the Realme, the other, The Bodie politike of hir Maiestie. The bodie politike of the Realme, is, All the people in the common wealth, contracted and distinguished into the Three states of the Parliament. The first is the Queenes Maiestie, The second, The Lords, The third The Commons. The Bb. be not one of the Three

Two generall
bodies politike
in this lande.

states, though Marshewe Sutchiffe shoulde affirme it twenty times, vnlesse he will turne out either the Queene, the Lords, or the Commons, and assigne their place to the Bishops. Although the Bb. since the time of H. 1. 1. Have bene present in the Kings Courtes, with other Barons, till the matter came to the losse of limme or life, for at such time by the lawes they are to annoy the place) And although they are de facto intituled as Authours of our Statutes, yet I holde that this is onlie of grace and fauour, and desire or by necessarie right. For our Princes (as

The Bb. be not
one of the three
states.

Wh' Bb. were
admitted to
Parliament.
Bb. may not be
present at
indgement of
life or limme.

was conuenient) at the assembly of their Parliaments haue vsed to call the Bb. so long as they were taken for godly and learned, into their consultations that did concerne the state of the Church: but yet they haue not so inthralld themselves to the aduise and assent of Bb. as if no statute might be enforced without them (as the Bishops doe nowe to boldelie insinuate). For many lawes haue bin made and do yet stande in force, the Bb. being absent, or vtterly refusing to assent vnto them, as is expressly proued and shewed out of the statutes and Parliament rolles by Maister Iewell, Maister Nowell, Maister Fax, Maister Bilson, and Maister Lambert, a learned lawyer of Lincolns Inne. Wherefore seeing the Bb. according to their dignities bee none of the three states of the Parliament, or of the Bodie politike of the Realme, (no otherwise then common subjects be, in which respect they are not disamed) it can not be taken that in this sence they bee members of hir

Parliament
without the
Bb.

her Maiesties Bodie politike, and therefore the diffaming of them doeth no more touch the Queene, then the diffamation of a common subject, which fault is otherwise prevented then by the punishment due to felons.

The generall Bodie politike of hir Maiestie, is, as I conceiue, all the Officers and Magistrates of this lande, who deriue all their authoritie either mediately or immediately from the

c 11. H. 7. 27.
7. H. 7. 14. and
11. 36. and 37.
H. 8. Dist. 60.
d Enal: treat.
pag. 181.
c Mai: Paris
m H. 2. p 185
f 10 E. 4. 6.

g. Admini:
agat: M: M:
pag. 78.

h Defen. A. p:
pag. 644.

i Dorm. Rep.
pag. 13.
k. A. B. and
Mon pag. 121.
l Bookem 40.
pag. 536.
m Perambul.
of Kent pag.
221.

Queene. In which regarde the Bb, be members of hir bodie pol-
 itie, drawing from hir Highnes their ciuill authoritie and lord-
 ship. For their ecclesiasticall authoritie hath bene heretofore
 deduced from hir Maiestie: but I see that of late they begin
 to claime it from God as the Queene doeth hir Crowne. But
 remember the Bishops claime their worldly state or (spiritual)
 primacie, the Seek of Reformation doe mainteine, that their
 iurisdiction is contrary to the worde of God. Not condemn-
 ing externall honor (which is good and godly in it selfe) but
 misliking that it should be accepted by such persons as are dis-
 abled and made vncapable thereof by the Scripture. Thus
 much for better vnderstanding of this question. To proceed.

1 There must diuers things concur to make bookes fe-
 lonious by this statute. First, they must be written *Advisedly*
agains the Queene, that is, of purpose, wittingly, not of simplici-
 tie or ignorance. *Ignorantia facti excusat: Ignorance of the fact ex-*
cuseth the fault. And therefore as the Prell. dealt iniuriouly
 with *Richard Carmicheill* in Scotland, in compelling him to
 burne his bill because in his dreame hee did crie out, *The De-*
uill take away the Priestess, for they are a greedy packe. so if any man
 in his sleepe or at vnwares shal cast forth diffamatory wordes
 against the Queene, he is not within this statute. Secodly, the
 booke must be written *of malicious intent*, and as the preamble
 of the statute is, *by one ill affected to hir Maiestie*, and therefore if
 a man yse such a speech as *Burder* the Marchant did, when he
 saide, *He would make his sonne the heire of the crowne*, meaning his
 house at the signe of the Crowne, not intending any hurt to
 the King or Crowne of Englande, he could not without great
 iniustice be drawne within this or the like statute. Thirdlie,
 the wordes must containe *false and seditious matter*, & therefore
 if a man shoulde haue saide, that the King *William Rufus* did
 wickedly, who to gett mony of the Iewes, caused some couer-
 ted to Christianity, to retorne to Iudaisme (the fact beeing
 trew and wordes not seditious) he could not iustly be punished
 by this or any like statute.

*The Seekers of
 Reformation
 were not advised
 byso diffame
 the Queene.*

The Seekers of Reformation haue not, neither doe write
Advisedly to diffame the Queene, for they name not hir Ma-
 iestie to any dishonor in any of their bookes. If the contrary
 can be proued, *Curat lex*: let the offender be punished as he
 deserueth. They onely seeke to haue (as they thinke) the
 corruption of the time redressed, as The Prophetes & the holy

*a D With,
 pag. 309.
 D. Anderson
 for with the
 Brownister,
 b Remer sh
 Smiths.*

*c Hist. of the
 church of Scot.
 p. 344.*

men of God haue done heretofore, without spending anie dishonour to good Princes, such as her Maiesty. The Seekers of Reformation write against ignorant and vnclearned ministers: so the Prophet *Esai* living vnder the godly King did

a *Esai*. 56. 10.

call the priestes that wanted knowledge. *Dumbe dogges, which as can not barked.* The Seekers of Reformation write against such as be careless and negligent in feeding the soules that depend vpon them, that take the fleece & turne ouer the care of the flocke to other: so *Esai* reprocueth the priestes of his

b *Esai*. 56. 10.
c *Exod*. 44. 8.

time *That hee and sleepe, and delights in sleeping.* And another Prophet taxeth them that did not *Keep the ordinances of the sanctuary.*

The Seekers of Reformation doe cry out against plurified persons, that can not be content with a competent living, but insatiablie by dispensations and qualifications doe ioyne benefice to benefice, and charge to charge, rather to enriche them selues then benefite the Church: against such men did

d *Esai*. 56. 11.

Esai complaine, calling them *Greedy dogges, that can neuer haue enough: euerie one of them looking to his owne waie and to his owne advantage.* The Seekers of Reformation write against

e *Jer*. 3. 31.
f *Jer*. 23. 10.
g *Jer*. 23. 10.
h *Jer*. 23. 10.
i *Jer*. 23. 10.
k *Jer*. 23. 10.
l *Jer*. 23. 10.
m *Jer*. 23. 10.
n *Jer*. 23. 10.
o *Jer*. 23. 10.
p *Jer*. 23. 10.
q *Jer*. 23. 10.
r *Jer*. 23. 10.
s *Jer*. 23. 10.
t *Jer*. 23. 10.
u *Jer*. 23. 10.
v *Jer*. 23. 10.
w *Jer*. 23. 10.
x *Jer*. 23. 10.
y *Jer*. 23. 10.
z *Jer*. 23. 10.

the ciuill authority and rule of Ministers: So *Jeremy* in the dayes of *Iosiah*, a vertuous Prince condemned Priestes, *For bearing rule.* The Seekers of Reformation write to haue the Church thoroughly purged of all remnants of popery & idolatry: So the spirit of God did note as a fault euen vnder most excellent Kings, *That the hie places remained vnremoned.*

All these and many other witnessses of the trueth did speake and write against the state of the Church in *Iudab*, and were not (I trust) *advised diffamers* of the Princes vnder whome these corruptions had gotten strength. In like maner the writings of the Seekers of Reformation, against such thinges as they verilie beleeueto be enormous corruptions, can not iustly be deemed, *advisedly and of purpose diffamatorie to his Highnesse.* When persecution was most furious in Englande, they that wrote most vehemently against the Bishops & their proceedings, contenanaced by lawe, were neuer accounted *advised diffamers* of the Prince: for then they should haue bene reputed and punished as traytours or rebels, rather then as schismatiques and heretikes. Neither hath their bene in all the thirtie yeares of her Maiesties most flourishing raigne (till within 2. or 3. yeares last past) any such conclusion euer made, though

*In reason, and
cell should be
admitted and
heard, before
difficult cases,
as well upon
life as lands,
were ruled.*

*The Seekers of
Reform do not
write against
Bb of any man
here, so the
Queene.*

the same lawes (in substance) haue bene in force and occasion
giuen of great extremitie. I am perswaded that vpon hearing
the matter debated by learned Lawiers on the part of the de-
fendants (as¹ lawe and reason would, in this matter of diffi-
culty that toucheth life) that our reuerende Iudges would at
the first make a *quere*, whether the aduised diffamation of
the Bb. were an *aduised diffamation of the Queene*. Therefore
it may well come vnder the title of *Newes*, that the Seekers
of Reformation should resolue in a point of lawe wherein the
best lawiers may stand in doubt. If my father were a L. Bishop
or a *Nonresident*, and I would write against the state of the
Bb. or Nonresidence, to make men conformable to the lawe
of God, it were absurde to affirme that I did write of purpose
and aduisedly to diffame my Father. So in our case *malice*
manifestus, &c.

*B Stamp.
pag 151. b.*

Neither doe the Seekers of Reformat. write against the iur-
isdiction of Bb. of any hatred, or *Malice to the Queene*. For
whosoeuer were King or Queene of England (though it were
David him selfe) they would vwrite to the same effect, that
they doe now. It is not like that they malice her Maiesty:
for (sauing the matters in variance) no man can charge them
with any shewe of disloyall behaviour. They are instant for
hir Maiesty in prayer, both publike and priuate. They detract
no duety, no imposition, no taxe or subsidie, as becometh
duetifull and louing subiects. It was neuer heard that any one
no not one of them, did euer attempt any hurt to hir Royall
person Search the Rolls, looke the Recordes, it will appeare
that some of them (whom England while England indureth,
shall still with thankfulnes remember) haue hazarded them-
selues as much for her Maiesties safety and Englands good, as
any subiect whatsoeuer. When the Spaniards intended an in-
uasion, the establishment of a forraigne potentate in the Sea
Royall, and the conuersion of this lande into *Aceldama*, a
fielde of bloude, the Ministers that seeke Reformation gaue
great assurance of their affection and loyalty to the *Queenes*
maiesty and the seate. They were importunate with the Lord
by priuate and publike prayer & fasting for the safety of her
Royal person, before the Bishops or their followers were seem
to goe about any such matter. And being interdicted by the
Bishops (such was their zeale to the state) they still continued
as they had begun: some of them (weake in body, though
strong

strong in spirit) preaching three or foure times a day; manie daies together, as London can witnesse: encouraging the people to fight for the Gospell and for their soveraigne: still calling for repentance, that God might be mercifull to vs, our Prince and Countrey. Also when the expedition was made into *Portugall*, they renewed these exercises a fortnight or 3. weekes before the Bishops sent to their fauorers any precepts or instructions to doe the like. Is it likely that these men doe malice her Maiesty? Surely they malice hir as *Esay*, *Ieremy*, & other prophets did malice *Ezechiah*, *Iosiah*, and other godly Kings of *Iudah*, when they reprobred the abuses of the Church vnder them, seeking that they might flourish in al honour by the due obseruation of the lawe of God, adding vertue to vertue, and reformation to reformations, till *Iudah* and *Ierusalem* were clearely purged: Is this malice to Princes? No. They that hide fro princes the deformity of a state, crying peace, peace, where no peace is, they be the most malicious and pestilent enemies of the state.

The men that call for Reformation, may pretend cause or colour of cause both in matters of doctrine & fact, why they may hate the Bishops, which in no sorte may be applyed to hir Maiesty.

The Bishops^d impugne that which heretofore they haue deliuered as the truth of God, as I haue shewed. They confesse there be infinite corruptions in the Church, which yet they will not reforme, nor suffer other to sue for amending or reformation thereof. They confesse that by Gods word a^t *Priest* and *Bishop* are all one, yet^s they and their followers make it heresie so to beleue, building vpon *Epiphanius*, who also erroneously in the^t same place calleth the Bishops, and all them heretikes, that denie prayer for the dead. Which determination of heresie vpon one mans worde, as it is^t against the lawes of this Realme, so it wrappeth in heresie both the^t *Synriake* Interpreter, vvho vseth one worde *Kashisha*, both for *Priest* and *Bishop*. And also^t *Chrysostome*,^m *Ambrose*, *Thom*

Color of cause
to base the B.
not applicable
to hir Maiesty

Corruption
confessed, not
amended

A Priest and
Bissh by Gods
word al one

What the true
accounteth heresie
See the
last

† M Elmar
M Bullingh.
C. c.
e Admonit.
aga. M. M.
183.

FD Whigg.
pag. 183.
D. Bridg. pag.
259.

8 D. W. sig.
pag. 403.
D. Bridg. De-
fence, pag. 231.
Sutcliffe.
Engl treat.
pag. 68 Re-
monst prof.
C. c. D. Banc firm. pag. 18. Admonit. agat. M. M. pag. 44. h. Cont. Harv. lib. 3. tom. 1. Harv. 79. 1. Elia.
cap. 1. Crown. 6. & Spens. Sadeel. oper. pag. 668. 748. Duree Whiak. Com. Dur. pag. 447. Bellarmin. Cons. Rilem.
Amorat. in 1. Tim. 5. Harding. Def. Apolog. pag. 230. Stapleton. Bridge. of Princ. Supp. pag. 359. Dillow. Fuller.
Retent. k. In 1. Tim. 3. 1. Tim. 5. 17. 1. Tim. 3. 1. 1. Sermon. 1. in Epist. ad Philip. C. 2. Tit. 1. 1. In Jo. 4. Eph. 4. In
1. Tim. 3. & Phil. 1.

No popes Arch
bish. Bb. Chan
cellors, Archde
&c. in the pri
vate church.

Where have
Tarus could bee
a Bishop for
ing they say he
had more an
sharpe then a
Priest.

The prelate
of the same
obedience &
against the sta
ders of Refor
mation: the pop
doe against all
protestantes.

Pastor and
Teacher do
their offices.

Katakryc
uein of lawfull
lordly rule.

Lordliness for
bishops in mi
nistries by the
electrons of
gentleman.

dorete, * Hierome, * Oecumenius, * Ildore, * The Canon Lawe, * Ad Ocean.
(in force in Englande) which sayeth, That the primitive & ad Euer.
Church had no other sacred orders, but Deaconship and Priesthood. P In Act. 2. o.
Also, * Wiclef, * Marfimus of Padua, * Luther, * Calvin, * Mus- q Lib. 7. Ety.
culus, * Hofman, * Sadel, * Mornee, * Marlorate, * Innus, * Whi- mog. cap. 12.
takers, * Fulke, * Jewell, * Bullinger, * The Waldenses, * Alley Bi- Nollus in Epif
tary, * Fulke, * Jewell, * Bullinger, * The Waldenses, * Alley Bi- t 25. H. 8. c.
tary, * Fulke, * Jewell, * Bullinger, * The Waldenses, * Alley Bi- 89.
tary, * Fulke, * Jewell, * Bullinger, * The Waldenses, * Alley Bi- a. 6. & Ma
tary, * Fulke, * Jewell, * Bullinger, * The Waldenses, * Alley Bi- Last edit.
tary, * Fulke, * Jewell, * Bullinger, * The Waldenses, * Alley Bi- z Def. pacis.
tary, * Fulke, * Jewell, * Bullinger, * The Waldenses, * Alley Bi- lib 2. ca. 15.
tary, * Fulke, * Jewell, * Bullinger, * The Waldenses, * Alley Bi- v Adm. r. fust
tary, * Fulke, * Jewell, * Bullinger, * The Waldenses, * Alley Bi- nomord. epist.
tary, * Fulke, * Jewell, * Bullinger, * The Waldenses, * Alley Bi- w fust. lib. 4.
tary, * Fulke, * Jewell, * Bullinger, * The Waldenses, * Alley Bi- cap. 3. fect. 8.
tary, * Fulke, * Jewell, * Bullinger, * The Waldenses, * Alley Bi- z Lot. m.
tary, * Fulke, * Jewell, * Bullinger, * The Waldenses, * Alley Bi- z In operib.
tary, * Fulke, * Jewell, * Bullinger, * The Waldenses, * Alley Bi- 7. 8.
tary, * Fulke, * Jewell, * Bullinger, * The Waldenses, * Alley Bi- a De secl. p.
tary, * Fulke, * Jewell, * Bullinger, * The Waldenses, * Alley Bi- 250.
tary, * Fulke, * Jewell, * Bullinger, * The Waldenses, * Alley Bi- b In Phil. 1. z.
tary, * Fulke, * Jewell, * Bullinger, * The Waldenses, * Alley Bi- c Eccles. lib. 2.
tary, * Fulke, * Jewell, * Bullinger, * The Waldenses, * Alley Bi- cap. 1.
tary, * Fulke, * Jewell, * Bullinger, * The Waldenses, * Alley Bi- c Cov. comp.
tary, * Fulke, * Jewell, * Bullinger, * The Waldenses, * Alley Bi- pag. 121. &
tary, * Fulke, * Jewell, * Bullinger, * The Waldenses, * Alley Bi- Dur. pag. 447.
tary, * Fulke, * Jewell, * Bullinger, * The Waldenses, * Alley Bi- c Ag. Greg.
tary, * Fulke, * Jewell, * Bullinger, * The Waldenses, * Alley Bi- Mar. pag. 172.
tary, * Fulke, * Jewell, * Bullinger, * The Waldenses, * Alley Bi- Reply.
tary, * Fulke, * Jewell, * Bullinger, * The Waldenses, * Alley Bi- g In Act. 20.
tary, * Fulke, * Jewell, * Bullinger, * The Waldenses, * Alley Bi- 8.
tary, * Fulke, * Jewell, * Bullinger, * The Waldenses, * Alley Bi- h Act. & Ma
tary, * Fulke, * Jewell, * Bullinger, * The Waldenses, * Alley Bi- pag. 16.
tary, * Fulke, * Jewell, * Bullinger, * The Waldenses, * Alley Bi- i Poor many
tary, * Fulke, * Jewell, * Bullinger, * The Waldenses, * Alley Bi- lib. r. pag. 9.
tary, * Fulke, * Jewell, * Bullinger, * The Waldenses, * Alley Bi- k Act. & Ma
tary, * Fulke, * Jewell, * Bullinger, * The Waldenses, * Alley Bi- pag. 108. 6.
tary, * Fulke, * Jewell, * Bullinger, * The Waldenses, * Alley Bi- l Pet. 5. n.
tary, * Fulke, * Jewell, * Bullinger, * The Waldenses, * Alley Bi- m flogos. 9.
tary, * Fulke, * Jewell, * Bullinger, * The Waldenses, * Alley Bi- part. ca. 8.
tary, * Fulke, * Jewell, * Bullinger, * The Waldenses, * Alley Bi- n Cant. 1. d. 2.
tary, * Fulke, * Jewell, * Bullinger, * The Waldenses, * Alley Bi- cap. 7.
tary, * Fulke, * Jewell, * Bullinger, * The Waldenses, * Alley Bi- o Marlorate
tary, * Fulke, * Jewell, * Bullinger, * The Waldenses, * Alley Bi- Phil. 4.
tary, * Fulke, * Jewell, * Bullinger, * The Waldenses, * Alley Bi- p De coning.
tary, * Fulke, * Jewell, * Bullinger, * The Waldenses, * Alley Bi- Sacer.

q Loc. com. pag. 102. r Harm. conf. pag. 373. 344. s Cetero, de Pous. t Sadel operib. 668. v Whinck. cont. Dur. pag. 47.
w Sadel operib. 740. x Def. Apol. pag. 230. y Annot. in 1. Th. 5. z Bridgof Princ. Supra pag. 159. a Rack. 584. b Fulke
Exposit. pag. 123. c M. Reg. Serm. & the rest. d Epist. 4. 11. e Rom. 12. f Catech. ca. 2. g fust. lib. 4. cap. 3. fect. 4.
h In. Cor. 12. i Exort. 2. Tom. k Confess. cap. 5. fect. 25. l Oper. p. 601. m flogos. part. 3. li. 2. ca. 9. n Loc. com. 195.
o In Epist. 4. p In Epist. 4. q Diff. of the Church pag. 112. r Cetero in Rom. 12. s Eccles. lib. 2. ca. 5. t M. Reg. Serm.
pag. 7. v D. Whinck. pag. 69. h. 9. m. Mary & 01. li. 50. w Adams fust. nomord. epist. x Prefa. in Eccl. fust. y Cont. Pageb. 16.
z fust. lib. 4. 11. a Serm. 57. m. Apoca. in Mar. 201. b Eucter. v. claf. cap. 102. c In Mar. 201. d In Mar. 20. e Dorm.
Repro. pag. 6. f Def. Apol. pag. 714. g Oper. pag. 396. h In Mar. 20. i In Mar. 20. Heb. k Of the Princ. fuprem. 9. 2.
l pag. 126. m Serm. 158.

ton, ⁿ Rainolds, ^o Withers, ^p Whitakers, ^q Snecanus, ^r Snepodinus, ^s Fulke, ^t Erasmus, and the ^u Churches of Bohemia, who say, that Christ speaketh there of lawfull Lordely rule, forbidding his Apostles and Ministers of the Gospell to vse the same. The wth Bb. and their friendes adiudge it a popedome and tyranny to excommunicate Princes, although themselves doe excommunicate inferiour Magistrates (whom the Scripture doth honour with the hie title of ^v Gods, aswell as the most glorious Emperour) and although both ^w Bucer, ^x Calvin, ^y Snecanus, ^z De Loques, ^a Bexa, ^b Daneus, ^c Zanchinus, ^d Nowell, ^e Poinet Bishop of Winchester, ^f Jewell, ^g Balson, and ^h Bridges, do by their doctrine in priuiledged bookes approoue the same. The ⁱ Bb. charge the Seek. of Reformation *stake and sulbe to agree with the papistes in the article of the Princes Supremacie in matters Ecclesiasticall*, yet the Seek. of Reformation differ frō them in these substantiall pointes following:

1 ⁱ They giue the Prince authoritie ouer all persons ecclesiasticall whatsoeuer: the ^j papistes exempt their cleargie. 2 They holde that a Prince may depose a priest as *Salomon* did *Abiathar*, and accordingly they obey being silenced: the ^k papistes denie it. 3 They affirme that if Priests do make wicked decrees, that the Prince may enforce them to better: the ^l papistes denie it. 4 They say that Princes may and ought to make lawes for the Church, but with the aduise of godly Pastours: the ^m papistes denie it. 5 They hold that if the Pastours be vnlearned and vngodly, the Prince may of himselfe without their assent or aduise make orders and lawes for ecclesiasticall matters: the ⁿ papistes doe vtterlie denie. Lastly, they will subscribe in this point to the Articles of Religion established by lawe, to the Apologie to the Church of England, to the writers of *M. Jewell*, *M. Nowell*, *M. Horn*, *Maister Whitakers*, *Maister Balson*, *Maister Rainoldes*, *M. Fulke*, (for I protest I haue sought, but found nothing in these mens writings touching this matter, that dissenteth from the opinions of them that sue for Reformat.) Besides they take the othe of the Supremacie as hir Maiestie and the Parliament

Princes, subiect to excommunication by the doctrine of Protestants.

The Seek. of Reform. differ from the papistes in the doctrine of authoritie.

The Seekers of Reformation acknowledge that the Prince hath poorestimation iuris.

The Seek. of Reform. recognise in her Ma. all authoritie good by the doctrine and lawes of England.

They that except the authoritie Ma. haue good and obedient subiects.

n Confer. pag. 256.
o. *Against Röm. mag. notes upon Mat. 20.*
p. *In prelati. q. De disc. ec. l. pag. 4. 3.*
i. *Loxcomi 459.*
f. *Disco. Sand. rock. ag. 185.*
e. *Confer. disc. pag. 171.*
v. *Harm. conf. 353.*
w. *D. W. Bing. pag. 656.*
Re. *monist pag. 37.*
M. *Saucliff. Engl. creat. a. Exod. 21. 6. Elolom.*
b. *De cur. ani. anopul. 326.*
c. *Justit. 11. 3.*
d. *De disc. iud. pag. 459.*
e. *Disc. of the church, pa. 355.*
f. *Cont. Erast. 123.*
g. *Agos. 3. part. ca. 68.*
h. *Confes. ca. 25. sect. 37. 38.*
i. *Dorm. Repr. pa. 23. 52. 142.*
k. *Treat. of polit. pow. 104.*
l. *Def. Apal. 710.*
m. *pag. 251.*
n. *Of Prime. su. pag. 10. 5. 998.*
o. *D. W. Bing. pag. 694. 702. 636.*
p. *T. C. pag. 155. b. 3. pag. 104.*
q. *Hard. Apol. 102.*
r. *Sand. Rock. pag. 389.*
s. *T. C. booke 3. pag. 159.*
t. *Dis. of Disc. pag. 139.*
u. *Sand. Rock. pag. 151.*
v. *T. C. booke 3. pag. 155.*
w. *Apol. Eng. sum. cap. 4. sect. 21.*
x. *Ad a. d. d. in the end of the Querey. inu. 2. 5. El. 10. 10.*
y. *Crow. 8.*

The oth giueth
her Maieſty
power only
ouer perſons.

They that would
make min be-
leue that her
Maieſty aſſu-
meeth more au-
thority then the
exceſſe of the
oth concerneth
are Malicious
perſons.

Articles publi-
ſhed without
the Queenes
ſent.

The law and
ſubſcription
exceſſed.

Surpliſſe,
Paſtorall
ſtaues.

M. Cowdry.

Spiritual com-
mittee
upon the
game payill.

doeth expound it. Whereupon by expreſſe allowance of law they are in that respect hir Maieſties good and obedient ſubiectes, and they that inforce more vpon them in this point of the Magiſtrates authoritie then that othe with the Queenes exposition therof comprehendeth, are vpon hir Maieſties royl all woorde, and enact of lawe *Malicious perſons*. Furthermore the Bb. ſaye, *That the generall opinion of the beſt writers is a- gainſt the gouernement by Elders: vvhereas they can name onely foure, whereof Calvin and Beza are two, who nowe bee made as partiall as Maister Cartwright, and yet the Seek. of Reformation for one writer againſt the gouernement by Elders, may name 3000. with it. Not one Protestant out of Englande miſliketh it.* Some of the Bb. doe confeſſe the gouernement by Eld. was vſed in the Apoſtolike Church; yet they call it a pope-dome and tyrannie, and preferre an inuention of man before it.

The Seekers of Reformation finde them ſelues grieved with many matters of fact to which hir Maieſtie is not priuy nor party.

They thinke it harde that any ſubiect ſhould deuife articles and ſubſcriptions, and publiſh them in their owne names vpon great paines and penalties to be yeelded vnto, contrary to the lawes and liberties of Englande. It is thought ſtrange, that the Bb. ſhould preciſelie inforce the ſtatut, *that no Miniſter ought to vſe any other open prayers then bee ſet forth in the communion booke*, and extort a promiſe and ſubſcription, to vſe the forme in the ſaide booke preſcribed and no other, and yet inioine Miniſters when the Spaniardes were vpon the Seas, to vſe in publike aſſemblies, newe prayers, which the Bb. themſelues had contriued. The Biſhops care for the Church is commendable: but not the contradiction. They ſee not why the Bb. ſhould drine them to weare a Surpliſſe, and yet themſelues neglect the vſe of *Paſtorall ſtaues*, ſeeing the lawes tie the Biſhops to the one as well as the Miniſters to the other. They holde it ſcarce agreeable to lawe, that Maister Cowdry offending in the firſt degree againſt the ſtatute that authori- zeth the Communion booke, ſhould be puniſhed as an offendour in the ſecond degree, and that by an eccleſiaſtical court, albeit by lawe he ſhould haue bene committed therof according to the common lawes by the verdict of iudges men, &c. They com- plaine, that the Eccleſiaſtical Commissioners hauing onely

b See the ad-
monition in the
ende of the
Queenes inuolunt
ſtatute with
the ſtatute of 5.

c D. W. King
pag. 659.

d See afore.

e See D. Brid.
deſ. pag. 33.

f 35. H. 8. c.
19.
g 1. Eliz. c. 2.

h D. Brid.
deſ. p. 33. ar. 1

i 1. Eliz. c. 2.

TO HER MAIESTIE.

b.1. Eliz. cap. 4.

i See First Na.
Brade House
Ripley. & the
Stat. 321. Mass
prosa.
k First Nat.
Br pag 454.
Crompt. Just.
peac pag. 52
l See Statute
of 25 Ed. 3. c.
14. in the pre-
amble, and the
Act. & Mon

to deale in causes which by recte iustice all power maie ben conuer-
red, doe conuent before them the publishers and writers of
bookes for Reformation, which are supposed to be felonious,
& therefore punishable by temporall iustices. They thinke it
harde that in cases repleuisable by lawe they may not be bar-
led by sufficient suretie. They thinke they haue iniurie when
they are cited by Bb: to make othes and recognisances in
causes not testamentarie or matrimoniall. They take it grieuou-
sly, that they are compelled to take infinite and generall
oths to answer to intrapping interrogatories (as was practi-
sed by the cruell Bb: Henry the fourth the time) and that in mat-
ters notorious, where neyther sufficient prooffe nor witnesse is
wanting. They pretende many other grieuances, as to bee
imprisoned, suspended, degraded and depriued without due
cause and course of lawe, the subiects thereby being left de-
stitute of heavenly teaching, and committed to ignorance or
carelesse prelates, who suffereth the atheist, the papist and trait-
tour to pray vpon them. Lastly, they greatly complaine that
the Bb. shoulde bee so vnnaturall as to seeke the life of a right
godly and faithfull Preacher of the Gospell, I meane Maister
Udall, to whom life was offred if he woulde but take his oth
that hee did not make a booke whereof he was supposed to be
author. A rare example that a man shoulde bee knownen
standing at a barre, shackled in bolts (but *quare quo iure*) and
coupled with a murtherer, whose conscience was thought for
faithfull and sound by the Iudge himselfe; that he woulde not
swere falsely to gaine his life.

Her most excellent Maiestie is free and cleare from all this
dealing. Shee doeth not oppugne the knownen truth. Shee
thinketh the present reformation to be sufficient. Shee weigh-
eth not herelie by the drowisie dreame of one Doctour. Shee
doeth not ioinie with the papists in concluding all protestants
to be heretikes. Shee doeth not account that straunge and
monstrous, that the most auncient and best interpreters doe
agree vpon. Shee braggeth not of all, when shee hath fewe
or none. Shee freeth not hir selfe from lawfull censures. Shee
calleth the Seekers of Reformation that yeelde to the oth of
the Supremacie, as shee expoundeth it, *Her good and chaste
subiectes*, and adudgeth their aduersaries *Malcousages*.
Shee doeth not reule the Apostolike gouernement. Shee
doth not authorize the Bishops to contradict the lawes, their

D

owne

Each sufficient
Commis. con-
uincing publi-
cans of bookes
for Reform.

Refusing baile.

Citing of men
so quare conuict

Oth ex officio.

Multiplicity
of gramares

M. Udall co-
uict

It seemeth that
by Ian. Clarke
should not stand
as the barre on
testors: quare,
and see hanc
plac del Court.
pag. 133.4

owne articles & proceedings, to incrouch vpon the temporal Courts, to call men before them where their Courtés cannot holde plea, and to vex them without mercy or iustice. To be short, shee hath not fought the life of a Minister of the Gospel, but like *Abigail blessed of the Lords God of Israel*, hath kept the handes of the executioner from shedding inuocente bloude. 1 Sam. 25.33
The Bishops perswade hir Hignes (for who would not beleeue the *Grave fathers of the lande* knowing nothing to the contrary) *that matters of the Church goe very well*. But if it shall appeare to hir Maiestie to be otherwise, shee will of hir gracious disposition make speede to a better reformation.

Wherefore, seeing they that write for Reformation haue cause or may pretend cause or colour of cause to beare hatred to the Bishops, which can not any way be applied to hir Maiesty, it followeth that the hatred or malice (if you will haue it) proceeding from these causes, can not fall vpon hir Maiestie: for the offences bring hatred and malice to the person, & men be maliced & hated not for finnes of ignorance or good meaning, but of knowledge and wilfulnesse.

Furthermore, the Seekers of Reformation can not haue any *Malicious intent* in writing for the Discipline. They offer their liues to proue the truth, necessitie & vtilitie thereof. Though a papists cause be nought, yet his intent may be good. And why should not we presume so much for a good christian as for a popish traitour and impious idolater?

Lastly, they doe not write *False and slanderous things*, (the worde *seditious* belongeth to the accusation of *Rebellion*) for that doeth not yet appeare. The last rephes are not yet answered. Many things still objected which were long agoe confuted. The followers of Reformation lacke libertie to answer in their owne cause. If they speake, they be silenced: if they write, they wante *PRINTERS*. They bee shut vp in close prisons, their handes (as it were) bounde, & then buffeted. They are blindfolded, and then must reed, *who did sinne aboue*. Luk. 22.64 Unless the Iustices and Iurours can disproue all that hath bene written, and confounde the most profound Clarks in the world, whom the Bishops aduerfaries haue shewed to handle for this reformation, they cannot iustly sentence their writings to be false and slanderous. The certificat of the Bb. in this case is inuincible, and not to be admitted. They stande at the barre as parties,

The Bb. may
not determine
the truth and
falschoode of
this matter.

THO

D

It

a Cic. *Orat.*

Pro Ros. *Ame*
rim:

b Joh. 5. 31.

ouk alethes,

non idonem.

Be.

c Joh. 8. 14.

It is worse then ^a heathenish to beleene Scipio *Africanus*; who conquered the thirde parte of the worlde, when hee speaketh in his owne cause. If our sauour Christ should beare ^b witnessse of himselfe, his witnessse were not fitte, though it must needes ^c be true. In Parliaments that concerned the Bb. as parties, they haue bene excluded.

But the law and state of England (you will say) accout these *Objection* things *Fals*.

So the lawes of other nations account them true. In mat- *Answers*. ters of God (as is the gouernement of the Church) the lawes of God ought to determine trueth and falshood. They only should informe the conscience of Iudges. There is not *alia veritas Theologica, alia Philosophica*: one trueth in *Diuinitie*, another in *Philosophie* or *humanity*. That distinction is false and contradictory. God is one, his worde one, his worke one, his truth one. We may aswell say, There be two Sunnes, as two Truethes respectiue in one thing. The worde of God, not
c7. H. 4. 41. lawe of man, is the touchstone of this trueth. Iustice ^a Gascoigne being demaunded of King *Henrie* the 4. what he would doe, if a man guiltles in his owne knowledge, vvere founde guilty of murder by verdict afore him, made this answer, (although the verdict was as good in lawe as any lawe) *That hee would respite iudgement, and crane the Kings pardon for the parricide committed*. With which answer the King was well pleased. Whereby we learne, that our owne knowledge and the lawe of God assured in our conscience, ought rather to guide our iudgement, then the verdict of law, or testimonie of men.

Seeing then that the seekers of Reformat haue not written neither doe write *Advisedly*, *Maliciously*, or *Falslie*; muchlesse both *Advisedlie*, *Maliciouslie*, and *Falslie*, to diffame her *Maiesty*, (for the wordes be in the copulatiue) I conclude in this generally negatiue to the aduerfaries argument, though I should admit it to be true, yet considering these things doe not co- curre in writing of bookes for Reformation, that they bee not within compasse of this statute.

2 This statute is not meant of her maiesties lawes, her po- litike members or state of Bb. but only of her Highnes Royall person, as appeareth by wordes and drift thereof. It is taken almost *verbatim* from an act made by King *Philip* & Queene *Marie*, which throughout still aimeth at their owne persons. Of whom (the statute saith but could not meane of

This statute means of the Maiesties natural person.

1 & 2. Ph. & Mar. 3.

their members politike or lawes) *Wee are forbidden (by Gods lawe) so much as so thinke ill, much lesse to speake ill.* This act determined with *Queene Marias* life. In this statute of 23. the preamble importeth that it was made to suppress such persons as were ill affected to her maiestie. The body of the lawe bendeth against them onely that *slaunders the Queenes most excellent Maiestie that now is.* By the last prouiso in it, this acte hath no longer continuance, then during the naturall life of her Maiestie that now is. The state of Bb. (vnles God shorten it) and the politike members and lawes (if speciall prouisoes doe not choake them) are to continue euer. Wherefore this statute being meant of her Maiesties naturall person, which is subiect to mortality aswell as other, and not of her body politike which liueth euer, they that diffame the members of the body politike, can not be truly saide to diffame the Queene as this statute doeth intende.

Every papist
by consequence
a traitour.

By the wordes of this statute. *If any offende in writing booke to be diffamation of the Queene, (the same offence not being made treason by any other statute) such diffamation shalbe deemed felonie.* By the wordes *Other statute.* is meant (among the rest) a lawe made 13. Eliz. c. 1. Whereby it is enacted, that *who soeuer shall publishe that her Highnes is an heretike, schismaticke, tyrant, &c. shalbe punished as a traitour.* By comparing these statutes which haue apparant relation the one to the other, it should seeme that by the one, namely that of 23. her maiesties honour is protected from petic slaunders, such as in temperancy, vnclenenesse, and such like, and by the other, grand slaunders are prevented, as heresie, schisme, tyranny, and such like. The one adudged felony, the other treason. Out of which statutes I reason thus:

If the Seekers of Reformation diffaming her maiesties lawes and members politike doe diffame the Queene and are therefore felons by the statute of 23. *Eliz.* then they that in a higher degree diffame the lawes and body politike, doe diffame her Highnes, and are traytours by the statute of 13. *Eliz.*

But the papistes diffaming her maiesties lawes in making the articles of Religion established by law, flat heresies, and accounting of the Bishops as hereticall, schismaticall, and vsurping, doe diffame the lawes and members politike of the Queene in a higher degree then the Seekers of Reformation, yet were neuer taken and punished as traytours for diffaming the

13. *Eliz. c. 12.*

the Queene, though they haue by monstrous conspiracies & horrible practises guen cause of extreame rigour.

Therefore the seekers of reforma. diffaming the Queenes lawes and body politike, doe not diffame the Queene, nor are felons by the statute of 23. *Elizab.*

4 Every penall lawe concerning life, is to be expounded strictly according to the literall and grammaticall sence, not by inference or equity, as appeareth by these examples. *Penall lawes expounded strictly.*

a 3. *Elizab.*

There is a statute that *whosoever doeth call her Maestie heretike, bes traytours* (as I noted before) The papistes call all Protestants in generall *Heretikes*, yet they be not for such speeches drawne within the statute, though they doe inelusively call the Queene *heretike*. Moreover, *None that feloniously steale*

b 1. *Edw. 6.*

horses, shall haue their cleargie. Accessories to stealers of horses be stealers of horses, both by the lawe of God (before whome every sinner is a principall) and by the lawe of this lande. For

Penall lawes not expounded by equity or inference.

c 1. *Mar. Dier.*
pag. 59.

if they cannot reade, they shall suffer as felons. Yet accessories to stealing of horses, *shall haue their cleargie*, though in nature there is the greatest proximity, and in argument the most equall inference and easie slide from the generall to the speciall, that can be imagined. Lattlie (because I will not insist in a matter so common) the same statute of stealing of horses affordeth the like learning. Therein it is saide, that *No stealer of horses* (in the plural number) *shall haue his cleargie*. Which number is often in common speech, and in penall lawes touching landes & goods, taken *Synecdoche* for the singulare. Yet King *Edwardes* Iudges pursuing the precise letter of the statut, were so scrupulous for the lite of a man, that they durst not deny the benefite of the Cleargie to him that had stolne *one horse*. Whereupon the wise of Englande (whome we are more to regarde then any *one man*) made a newe Lawe. *That whosoever stole any horse, should not be admitted to his cleargie*. These Iudges that would not wrest a law one heare breadth against a horse stealer, would haue bene as favourable to honest Christians. But some thinke that we haue cheuterel lawes that may be racked & stretched at mens pleasure, whereas penall lawes that touch mans life, haue bene alwaies expounded in a most strict sence.

d *Plowd. Com.*
ment. 467.

This statute of 23. is a penall lawe, concerning the body & life of man. The expresse syllables and wordes directed onely against them that diffame her *Maestie* that now is. *There is*

not one pricke pointing at the Queenes lawes or state of Bb. Therefore it is to betaken strictly of the Queene, against whom the Seekers of Reformation haue not written, and by consequent haue not infringed this statute.

*The Queene a
body politike
in fiction only.*

5 Her maiesty is a body politike, and hath members politike in fiction onely and in politicall imagination: not in truth and verity. In like imagination the lawe sayeth, *shee cannot doe wronge, shee is alwaies of perfect age, shee is not subiect to any passion, shee can not bee imprisoned, sicke or die.* Things in themselves vntrue. Therefore she that diffameth her members politike, doeth diffame her maiesty only in fiction, that is in plaine english, not at all.

*The opposers
of the Elders,
by consequence
felons, &c.*

6 If they that write against the state of Bb. diffame her maiesty that vpholdeth it. Then doe they that call the gouernement by Elders, antichristian, a popedome, &c. diffame the Queene also. For hir maiesty hath authorized, or at the least openly and notoriously tollerated the gouernement by Elders in forraigne Churches that haue fled for succour into Her Dominions, and haue bene admitted to vse the gouernement by Elders, euen as our fugitiues in Queene *Maries* time founde like liberty and fauour in strange nations.

*c Remonst.
Smith. ff. 6. c.*

*No treason to
kill Bb.*

7 If they that diffame the Queenes members politike diffame the Queene, then they that take awaye the life of her members politike, commit treason against the Queene. The same reason (*ceteris paribus*) maketh the same lawe. But euery puiſne knoweth it is no treason to kill the Bb. though it bee worthily treason to attempt any hurt to her Highnesse. Therefore the diffamation of the Bb. is no diffamation of the Queene.

*The Queene's
lawes may erre.*

8 All men be lyers. Churches, Vniuersal Councells, Parliaments, and lawes of all nations doe controll one another. Therefore it is no diffamation to her Maiesty, if men ascribe errour in some of their lawes, seeing it is incident to all men to erre in some things. Though Princes be called 'Gods, yet as they die, so doe they erre like other men. *Homines sunt mendaces & non angeli. Men be lyers, they bee not Angels,* sayeth *Iustice Shelly.*

*FP 32. 6. 7.
1 Cor. 8. 5. 6.*

*a 34. H 8.
Dier. pag. 54.*

*To kill a sub-
iect toucheth
the Queene
croune more
then to write
against Bb.*

9 If you doe offer violence to the most base subiect in this Realme, you doe perinduce the Crowne and dignitie of our *Soveraine Lady the Queene*: yet if you diffame them, it is no diffamation of the Queene: the murdering of them is onelie felo-

*b Formes of
inducement,
Smith de rept.
Angl.*

felony, though by estimation of lawe, their life doeth more neerely touch the Crowne, then can be shewed for the state of Bishops,

10 If the diffaming of the Bishops and Queene be al one, punishable by one lawe and one penaltie, then the lawes defende the name and credite of a subiect with as great care as the name of the Queene. Which were absurde in the law, and a presuptuous challenge in any subiect, that doeth not represent the person of the Queene.

The lawes defende the honour of Princes more than subiectes.

11 If the writers against the gouernement of Bishops doe maliciously diffame the Princes that bear it vp, then do they maliciously diffame the Dukes of Saxonie, and Elie Almaine, that mainteine the state of Bishops, as our Prelates say.

The Princes that maintein the Bishops state are not defamed.

e. Admonit. against M. M. pag. 74.

But it were madnes to say, that they write aduisedly & maliciously to diffame these Christian Germaine Princes, who neuer harmed them, much lesse our Soueraine Ladie the Queene, by whom they haue receyued incomparable benefites, and who hath bene more beneficiall to the church then anie Prince or Potentate in all the worlde.

12 They that write to diffame the Queene, shoulde die as felons by this statute,

No man hath suffered for religion in Eng.

d. Epist. to the Read. before his booke.

None that writeth against the gouernement of Bishops, ought to dye as a felon. For they can make that but an error in Religion at the worst: for writing is not materiall to make an error or not an error. The papists (sayeth D. Bisson) ^a bee not executed for making the Pope chiefe pastor ouer their soules, or for giving him an Episcopall authoritie ouer all the vvhole Church, though that bee also a frantike heresie: but for giving him an externall dominion ouer this Realme and Prince. This is it that the Execution of Iustice doeth duly respect, which is farre fro anie matter of faith and religion. Thus you see hee mainteineth that the papists haue not nor doe not suffer for religion or heresie, but onely for treason. The Christian Emperours (Gratian, Theodosius, &c. neuer punished heretikes with death, but onelie blasphemers and idolaters. They that holde errors shoulde not bee killed, but corrected, sayeth ^f Augustine. And in another place ^g It neuer pleased any good man in the Catholike Church, that heretikes (much lesse such as erre in externall matters) should be put to death. Thus it hath bene reasoned by our Diuines against the burcheries of the papistes. It is also helde in

Papists die for treason not for religion.

e. Cede be- vor. & Mani.

f. Epist. 137.

g. Cont. Cref. Mart. d. 34. 10.

h. called The execution of iustice in Eng.

a booke published by authoritie (to which D. Bisson had reference)

ference) and translated into many languages, that neuer anie papist did suffer death for his religio, since hir Highnes raigne. Which thing the Papists in *Walsich* castell can also witnelle.

Seeing then our state and Diuines haue sought to remoue from them the suspition of executing any papists for their religion, (though they defende infinite heresies) much lesse should the Seekers of Reformation suffer death for their religion. If the papistes ought to be executed, but offaouour and grace are spared, much more curtesie should bee shewed to Seekers of Reformation, whose offences both to God; the Prince and Realme, are nothing matchable with the detestable heresies and practises of the traiterous papistes. Verely all the Protestants in the world would wonder to hear that among Protestantes vnder a Protestant Prince & gouernmēt, any Protestant should haue his bloud shed for maintaining a doctrine of the Protestants, embraced by Christian Churches, and confederate Princes round about.

*Speakers
against the
lawes.*

*Deliuersers of
popish bookes
to others.*

13 If the writers against Bishops do offend against this statute, then the Speakers and Reporters against Bishops and the publishers or deliuerers from hande to hande of these bookes or any popish bookes against the receiued doctrine of Englande, be likewise within this statute. The Speakers and Reporters must either loose their eares, or reedeme them with two hundred poundes, or two hundred markes. The publishers are adiudged and deemed felons. But it were ridiculous to affirme, that the law had any such intent. For the there should be more careles people in Englande, then in al Christendome besides, and many thousandes of the Bishops friendes should be in case of felons. Which would comfort the writers, when they sawe like iustice done to Speakers, Reporters, and publishers. For the Poet truely sayeth:

Solamen miseris socios habuisse doloris.

It cheereth vp a wofull heart,

When company doe beare a parte.

Seeing then that the Speakers, Reporters, and publishers of such matters against Bishops, are not within this statute, neither be the writers.

14 That is onely a lawe which the lawe-makers intende. The Law-makers did not intende by this statute protect the Hierarchie. For there was no bill preferred in the Parliament at that time to this purpose: but rather for the ouer-

*This is law
which the Law
makers intende*

a Com. pa. 487.

throwe

throwe of the Hierarchie. As many yet alius can witness, who would with great vehemencie haue spoken against that matter for their owne and their friends safety.

When Maister *Stubs* of *Lincolns Inne* had written against the marriage intended by *Monsieur*, the *Dauphin* of *France*, towards hir Maiestie, to the ende that men should bee reformed from writing dishonorably of hir Highnes, this statute made that offence felonie, which by former statutes was onely the losse of the right hande. Which proueth that the Law-makers provided for hir Maiestie, not for the Hierarchie. The Parliament hath bene more ready for Reformation then against it, as appeared most evidently the last Parliament, when the bill against Nonresidencie passed the lower house, and had like to haue also passed the higher house; by the right honorable the Lord Treasurer his meanes, and other right noble Lordes who spake for it, had not the Bishops laboured against it.

Some of the lawes be faultie, euen in Church matters, as our Prelle (not popish) will acknowledge, reporte, and write if neede be. There was a lawe made by King *Henrie* the 8. and confirmed by hir Maiestie, That such Canons, Constitutions, &c. which bee not contrariant to the lawes, statutes, & customes of this Realme, nor preiudiciall to the Kings prerogatiue, shalbee executed as before the making of that act. Amonge which Canons, &c. there be many vnlawful & foolish things, though neither against the lawes, customes, or kings prerogatiue, yet repugnant to the Lawe of God. As namely: That women marrie not such their husbantes for adulterie: that Heretikes after their death shoulde be excommunicate: that there is such a iurisdiction betwene the Godfather and the child, for whom he promisseth in baptism, that it hindereth marriage: that a man maye not fast upon Thursday, That all Clerkes shoulde absteme from flesh 7. whole weekes before Easter. Infinite corruptions bee in these Canons, yet in force and good in lawe. I suppose that our Bb. coulde be content that this statute of 23. were corrected. Sure I am, the Bishops in King *Edward* the 6. dayes, did see manie things out of order in the Canon lawes, or else they would not haue a whole booke for Reformation of them, which booke can haue no intertainement in our time. But seeing the Bb. will not deny but that some abuses be established for lawe, lette them beare with others that espie greater faultes then those bee.

B13.H.8.c.
191.1.1.1.1.

63.9.1.4.
apud.
d.24.9.1.4.
vle
63.9.1.4.
B13.1.4.
Paris.
G.1.1.1.1.
Supra.1.1.
111.1.1.1.1.

h. Reformat.
1.1.1.1.

From what is
taken the stat.
of 23. was
made.

The Parliam.
ment rather
found them
cunius to
Reformat.
A bill against
Nonresidencie
passed the lower
house.

c. This is con-
trary to the
Scripture,
Mar. 16. 13.
See Hooper
upon the 7.
commandment.

A PETITION

6. Lastly, many haue writen both against the state of the Church and common wealth as it was & is fenced by law who were neuer accounted diffamers of our Princes,

Some write against *Triall by battell*. Some against *Forfeiture of Treasures landes*. The returne of writtes in one terme: the *lingring of men in prison before they come to iudall*: the *priviledges of Parliament men*: the *pardonning of murdrers*, *pluralitie of benefices*, *formes*, &c. Some against *Racking*. Some against *seined reueries* to defraude them in remainder or reversion upon estates saile. Some against *buying and selling of Wardes*, and such like.

Against the gouernement of the Church in England, many subiectes haue written; neuer deemed diffamers of the King as

Many English protestantes haue writen against L.B. and yet were neuer deemed diffamers of Princes,

In *Edward the thirde* reigne did *Wiclef* arise, one of whose articles was this, *That Popes, Cardinalls, Bishops, or other Priests, write not ciuilliter dominari absque mortali peccato, may not rule like ciuill Lordes; without deadlie sinne.* Also hee

Wiclef.

taught; *That no Prelate ought to haue any prison to punish offenders. And that no King should impose vpon any Bishop or Curate any secular matter for then both the King and the Clerke should be proditor Iesu Christi, a betrayer of Christ Iesu*: although the Archbishop of Cant. and the Bishop of London did put *Wiclef* to silence for this doctrine (as their successours do at this day) yet they did not call him a diffamer of the king.

Swinderby.

William Swinderby, a professour of the Gospell vnder *Rich.* the seconde, helde; *That the word Lordship a Priest hath, the nearer he is to Antichrist*. Also, that *The Priests of the old lawe were forbidden Lordship, and that Christ himselfe refused and forbade his Priests Lordships, saying Reges Genium, &c. The Kings of the Heauen beare rule, &c. but you shall not doe so.*

Plowman.

Piers Plowman likewise wrote against the state of Bishops, and prophecied their fall in these wordes:

A prophay of the fall of B.

If Knight hood and knyghte and Comene by consience Together loue Lelly, leueth it well ye Bishops The Lordship of Landes for euer shall ye lese, And linc as Leuiticus our Lordye teacheth Deut. 8. Num. 5. per primitias & decimas, &c.

Geffrey Chaucer against L. B.

Geffrey Chaucer also in *Henry the fourthes* time wrote effectually against the state of the Bishops in this manner:

The Emperours yafe the Pope sometime

So his Lordship him about,
That at the last he fully Knew
The proud Pope put him out;
Soof this Realme is doubt,
But Lords beware and them defende,
But woe thes folke beewe wondrous frowne
The King and Lords nowe this amend.

Ed. Tindal for
England,
The nobles
have this
braved by the
pride of lord B.

Moses lawe forbade it so
That Priestres should no Lordships hold,
Christes Gospell biddeth also
That they should no Lordships bold;
Ne Christes Apostles were neuer so bold
No such Lordships to hem embrace
But sweven her sheepe and keepe her folds,
God amende hem for his grace.

Thus wrote this famous Poet against the English Bishops;
and yet was neuer accounted diffamer of the King, though
the Bb. in his time did holde their Lordships of the King as
they doe now in Englande. Sir Geoffrey Chaucer his workes
were in K. Henry the eight his daies authorized to be Printed
by^a act of Parliament, to which that glorious king would ne-
uer have condescended, if hee had thought that the diffama-
tion of the Bishops had beene a diffamation of him selfe.

Tindal against
Lord Bb.

d 34. & 35.
H. 8. c. 1.

o Tindal
workes. p. 134.
f pag. 140.

In King Henry the eight's time, the renowned professor of
the Gospell Maister Tindall did write, *That it was a shame of
all shames, and a monstrous thing, that Bishops should deale in ci-
vil causes.* And againe, *What names have they? My Lords
Bb. My Lord Archbishop, If it please your Lordship, if it please your
Grace.*

workes. 139
in Henry
8. c. 14.

g Tin. workes,
pag. 110.

D. Barnes, a right learned man at the same time did write,
*That he would neuer beleue nor could ever beleue, That one man
may by the lawe of God be Bishop of two or three citties, or of a whole
Country, for that is contrarie to the doctrine of S. Paul, &c.*

Barnes against
Li Bishops
He witnesseth
the errour
with his blood.

h Upon the
om. p. 78.

Maister Hooper in the daies of Edward the sixt did effectually
write, *against the English Bish.* For the space (saith he)
of 400. yeares after Christ, the Bish. applyed all their wits onely to
their owne vocation; but our Bish. have so much wits, that they can
rule and serue (they say) in both states, in the Church and also in
the civile policie: when one of them is more then anie man is able to
satisfie, let him doe alwaies his best diligence. If hee be so necessa-

Mr. Hooper the
Martyr a
great civil
officer in Bb.

*M. Hooper the
martyr. Remains
and yet account
and not of them
of them.*

rie for the Court that in ciuill causes hee can not bee spared, let him
use that vocation and spare the other. It is not possible hee should doe
both well. It is a great oversight in Princes thus to charge them
with two burthens. If this excellent and tight famous man were
now aliue and should say thus much, hee might peraduenture
(if some had their will) be martyred once againe. Hee
addeth further, That the primitive Church had no such Bb. as
we. They had such Bishops as did preach many godly Sermons in
lesse time then our Bb. horses bee a bridling. Their house was the
school and treasure house of Gods Ministers. If it bee so nowe, let
euery man iudge. The Magistrates that suffer the abusu of these
goods, bee culpable of the fault. If the fourth part of the Bishoprick
remained to the Bishop, it were sufficient, The third part to schools-
maisters. The second to the poore and souldiers were better bestowed.
If any be offended with me for this my saying, hee leueth not his owne
health nor Gods lawes nor mans. Out of which I am alwaies rea-
die to proue the thing I haue saide to be true. Further, I speake of
how not barred. This was written by this noble Martyr against
the protestant Bb. vnder king Edward the sixt. In these words
he doeth not obscurely reprove the King and all Princes that
mainteine the state of Bb. yet neither the Bb. nor Iudges in
King Edwards time did adiudge this holy man to be a defamer
of princes. His bookes touching this matter, haue bene publicke-
ly printed and solde, and euen nowe are to be solde vnder hir
maiestie.

*M. Latimer
against lord-
ship of Bb.*

Eather Latimer another man of God and holy martyr was
a Bishop in King Henry the eight his time; but he gaue o-
uer his Bishoprike (as also Shaxton, Bishop of Salisburie did
at the same time) being diuested of his Bishoplke habite; he
skipped for ioy, (as maister Foxe reporteth) feeling his shoul-
ders so light, and being discharged (as he said) of so beaui-
ous a burthen. Thus he speaketh of the Bishops in King Edward the
sixts dayes, in his sermon of the plough, 'Te that be Prelats,
looke well to your office, for right Prelacie is busie labouring and not
Lording. Thus much I say, that since Lording and Loitering hath
come vpp, preaching hath come downe, contrarie to the Apostles
times. They preached and Lored not: And nowe they Lorde and
preache not. They that bee Lordes will sitte plough, It is no
meete office for them. If the ploughmen that now be, were made
Lordes, they would cleane giue ouer ploughing and fall to Lording
and right, and let the plough stande. By the loytering and lording of
Pro-

*Lording and
loitering
together.*

*a. 48. apud
Mon. pa. 1643.*

*b. Sermon
printed 1586
pag. 11. 4.*

c. pag. 12. a.

2 pag. 12.b.

Prelates, preaching and ploughing is clanne good. They are occupied some in the Kinges matters; some are Embassadors; some of the priuie Councell; some to seruish the Court; some are Lordes of the Parliaments; some are Presidents and Controllers of Minors. Well, well, in this their duetie: in this their office? If the Apostles might not leaue preaching to be Deacons; shuld we leaue it for nothing? Heare my country Englands, as Paul said in his first Epistle to the Corinthians 6. chap. Is there vtterly among you no wise man to be arbitratores in matters of iudgement? What none that can chuse betweene brother and brother? & c.

Bb. should not be Lt. of the Parliaments, as of the Council.

3 pag. 13.a.

Ad erubescuntiam vestram dico, I speake to your shame. So Englands I speake to thy shame, Is there neuer a Noble man to bee a Lord President, but it must bee a Prelate? Is there neuer a wise man in the Realme to bee a controller of the Mint? I speake it to your shame. I speake it to your shame. If there bee neuer a wise man, make a Water bearer, a Tinker, a Coker, a Slave, a Page controller of the Adinne. Make a meane Gentleman, a Grome, a Tionian, make a poore begger Lords President. This I speake not that I would haue it so, but to your shame: if there bee neuer a gentleman meete nor able to bee Lords President. It is a slander to the Noble men, as though they lacked wisdom and learning to be able for such offices, or else were men of no conscience, or else were not meete for such offices. A Prelate hath a charge and a cure otherwise, and therefore hee cannot bee both a Lords President, and discharge his duetie too. For a Presidentship requieth a whole man, and a Bishop can not be two men. Let the Priest preache, and let the Noble man handle on small matters. Then he proceedeth and telleth who is the most diligent Bb. in all England, euen the Diuill, who is alwaies in his Cure and Diocess, keeping alwaies Residence. He is no unpreaching prelate, Hee is no lordly hyerier from his cure; but a busie ploughman. Therefore you unpreaching prelates, learne of the Diuill to bee diligent in doing of your office. Learne of the Diuill if you will not learne of God; nor good men. For shame learne of the Diuill. Ad erubescuntiam vestram dico, I speake it to your shame.

M. Lentines accounteth a difference to the Realme, that it doeth no civil causes.

4 pag. 13.b.

And in a Sermon before the Kinge I thought I say thus I would wishe mee L. Presidents, I meane not what I would haue Prelates Lords Presidents. The office of a Presidentship is civil office, and it cannot bee that one man should discharge both offices well. Thus Puritan-like wrote Father Latimer, the famous martyr, yet he was neuer esteemed a troubler of the state, a Marplot, and a diffamer of the Kinge.

Bishops from the house of the Diuill.

5 pag. 14.a.

6 pag. 14.b.

7 pag. 61.b.

though

St. Lanthier a
mar-prelate.

though in deede he was a *Mar-bishop* and *Mar-prelate*. His Sermons containing this matter, are publickly to bee sold with authoritie, relished in these wordes: *seene and allowed according to the order of the Queenes iudgement*. And *Matthews Satelife* saith, That bookes which passe with this approbation, doe containe nothing contrary to the State of this Realme. Therefore it were straunge that the Seekers of Reformation should suffer as felons, for writing against the ciuill offices of Bishops, against their authority in the Parliaments in the counsell, and such like ciuill places, seeing writings to that effect be seene sold and allowed as not preiudiciall to our estate, neither diffamatorie to her maiesty.

Maister Nowell in his Catechisme, fully grounded on Gods worde, and rectiued and allowed by the church of England (as the Bishops say) and commaunded to be learned of ministers, & taught of all schoolemaisters, doeth write thus of the Eldership: *If the Church were well ordered, there should be much gouernement by chosen Elders or ecclesiasticall Magistrates, such as was in the primitive Church*. Shall men suffer as felons for such things as are fully grounded on Gods worde, and rectiued, allowed, and commaunded to be taught in the church and schooles of Englande. The Lord forbid. Doctor Rowland the iewell of Englande, publicke professor of Diuinitie in Oxforde, at the appointment and charges of the right vertuous and noble Earle of Essex, did alleadge in open sermon at Oxforde, this testimony of Maister Nowell, to proue that men by authoritie might speake in defence of gouernement by Elders.

To be short, I haue shewed that my L. of Canterburie and the other Bb. That D. Cosins and the aduertiser, doe in writing reprove many things countenaunced by law, as excommunication by *lay Channellours*, *Nonresidence*, *Ignorant ministers*, the wilde punishment of *Adultery*, *Subscription*, and such like, and yet the same be not deemed indicted, conuict or attaint as diffamers of her maiesty, and felons by this statute. Such be our times, that *lisens de cause alijs pleuantur, alijs appellentur quidem*.

Thus much may serue touching the accusation of diffaming of our Soueraine Ladie the Queenes most excellent maiesty. Now it remaineth to consider how iustly the writers for Reformation be charged with rebellion.

Where-

k Eng. want
pag. 180.

It is allowed
by authority
of the
gansil Bb.

Writing for
the
by others
and allowed
in Eng.

a. A. d. 1511.
against Mar.
Mar. p. 66.
b. B. art. 1.

c. Catch in
Lat. in 40. p. 66.
1556. p. 92.
compared.

Whereas the aduersaries to Reformation do

take as a principle, that *who for his words is punished, rebellion may arise of him.*
a discontentment in the mindes of the subjects, doe intende a rebellion.

That is a most yntrewe assertion, and sophistical paralogisme. For although Rebellion doth grow of Discontentment, yet all discontentment doth not bring forth rebellion: or if the writinge against the state of Bishops shoulde moue some men to discontentment, who being discontented should stirre vp rebellio, yet it doeth not followe that the writers against the Bb. were rebels, as this stat. doeth intende. For the writers must write Advisedlie and of purpose to stirre rebellion. So that if a man write in humble, loyall and ductifull manner, having no purpose and intent to worke rebellion, though rebellion should hereof insue, yet could not such a writer without great iniustice be drawn within this statute. For he can not be a felon that hath not a felonious intent and purpose.

John 8. 10.

Christ by his preaching had wrought such a dislike of the Priests and their proceedings in the mindes of his Disciples, that one of the in defence of his Maister did strike of the eare of Marchus, a servant or pursuant of the high priestes: yet the Priestes did not charge Christ with

with this outrage of his Disciple. For albeit Christ did speake against the Rulers & Priests in his time, drawing after him many dislikers of that present state, yet Christ neuer meant to woork in mens mindes a discontentment which should bring forth mutinies or rebellion, but amendement and reformation.

In like manner these Seek. of Reformation haue deseried manie supposed abuses in the church gouernement: they beare vs in hande that there is another forme of Ruling the church more agreeable to the Scriptures then this which we haue receyued. They write to lay open the faultes of the one, the necessitie and profit of the other, that the one beeing remoued by lawful authoritie, the other by like authoritie might be entertained.

For considering that his Maiestie and Lordes without the Commons, can not by the order of our state reforme the abuses & imperfections of the laws, it is requisite that the Commons of this land should be acquainted with the wants both of the Church and common wealth. For euery man and woman of this Realme is partie and priue to all Actes of Parliament. Their assent is needfull to the making of euery lawe. In their name, and as the deputies the Knights & Burgeses are present, and haue voices in the Parliament. Nowe, howe should the commons, their Knights and Burgeses conceiue what is amisse in the Lawes and state, but by publike writings for that purpose? That hauing deepe lie weighed and pondered what and how things should be reformed, they might be able in power of Parliament, after the lawe

Why the people are acquainted with matters of Reformation.

2. H: 7. 18. 9
H: 7. 15. 1. 6. 4
Ph. & Mar.
De r. 1. 4. 33.
H: 6. 18.

lawfull and laudable custome of this Realme, to take order for them according to knowledge. A few daies or weekes are not sufficient thoroughly to examine what may bee said, & what should be done in these matters.

Wherefore if these Seekers of Reformation should by publicke writing in duetifull and Christian sorte communicate to hir Maiestie, the Lordes and commons of this Realme the enormities of the state, to the ende that they in their Parliaments should reforme the same, though some of the Commons should take occasion herevpon desperately and vndutifullie to rebell, yet the Seekers of Reformation could not iustly be condemned as *advised and malicious movers of rebellion*. Much lesse can their writings, which haue as yet neuer effected nor affected rebellion, be deemed rebellious. Their writing for Reformation doeth rather prooue that they bee not rebels. For if they purposed a rebellion, they would rather tumultuousslie rise vp, and reforme things them selues then write bookes to moue the Queenes Maiestie, the Lords and Commons in their Parliaments, to lay their handes to reformation.

The writing for Reformation doeth proue the writers to be no rebels.

They that be not blinded with malice, do see wel that the Ministers who seeke Reformation, doe preach true obedience to the Magistrates, with greater zeale and sincerity then any Bishop in this lande. It is notoriously knowen, that they teach as an article of their faith, That no subiect or seruant ought to rebell against his Prince or Maisters, though hee bee cruell and frowarde, but rather shoulde meekely suffer oppression and violence at their handes. They teach that the lawes must either be performed by obeying them, or else the punishment, for not yeelding vnto the patiently suffered and vndertaken.

The seek of Reformation desire rebellion.

Therefore, howsoever they write to bring a discontentment into mens mindes, yet they would not haue the subiect to intrude vpon the Magistrates office, much lesse to rebell against his Soueraine.

Furthermore, if all they that write to bring the people to a discontentment, and dislike of the authorized gouernement, doe write of purpose to moue rebellion, then doe the lawes, the Bishops, and whole state of Englande intende a rebellion. I proued that both the lawes & Bishops of this lande doe expect a further reformation, which can not be accom-

Writing, that moue discontentment is not rebellious.

plished, vnlesse hir Maiestie, the Ll. and commons be drawn to a discontentement and dislike of the present state. For amendment and redresse can neuer follow, but where discontentement goeth before.

*Printed
books have
wrought a dis-
contentment
at the authori-
ties of Bb.*

I likewise it is prooued that the Church of Englande hath seene, allowed, and suffered to be printed and publicly sold ^b diuerse bookes which doe speake molt effectuallye against the state of Lorde Bishops. I shewed that ^c bookes wherein the Lordship of Bb. hath bene cōdemned, haue bene allowed by expresse act of Parliament. I shewed also, that the gouernement by Elders is approued in ^d bookes which are commended by the Bb. to be fully grounded vpon Gods worde, which are commanded to be taught & learned throughout this Realme. If it be rebellion to worke a dislike & discontentement in the state of Lord Bb. If it bee rebellion to commend the reformed gouernement by Elders, then doth the state of England intende a rebellion against hir Maiestie. But God forbid that we should thinke so dishonorably or disloyally of our Christian State, though it hath wrought in mens mindes a dislike of the present Church-gouernement. If then this argument be vaine & friuolous against the state, why is it not so against the members and partes of the state?

*b Latimer
Sermons.*

*c Chaucers
bookes.*

*d M. Narrets
Cases in law.*

*No rebellion
to make mi dis-
like the Lord
Bishop of Bb.*

I might adde here that all Printers who sell popish bookes and all others, who publish or deliuer from hande to hande any popishe or other booke that crosseth the present gouernement were felons by this statute, if this argument might haue place. I might also giue a *cauent* to Maister Doctor *Percie*, that he doe not proceede in perfecting the booke which *Crammer*, *Cox*, *Haddon*, and others beganne, touchinge reformation of the lawes ecclesiasticall, least peraduenture he should draw the people to be discontented with the lawes in force, and by that meanes incurre the penaltie of this statute. I might also shew that they who hauing receyued greate benefites of hir Maiestie, doe contrarie to the trust reposed in them, maineteyne, preferre, and aduance notoriously suspected papistes, hollow-hearted traitours, and close enemies to hir Highnes, hir Crowne and Dignitie, opposing themselues against they knowe not what. I might, I saye, shewe that those men doe prouoke a discontentement in hir Maiesties subiects, but I will not stande hereupon. For whatsoeuer discontentement is raised in men, I knowe none that are false

in-

into such madnes, as to endeavour a rebellion. Neither can I conceyue cause of such feare, vnles we doubt that the populi sorte being encouraged by the aduancement of their friends, the disgrace of their greatest enimies, the passing by of them, & pursuing of others should increase in number, (as they doe, without question, mightily) and then returne to their aunccient rebellions ad diuclish practices.

Thus much may suffice to be spoken to the generall argument vsed by the Bb. & their solicitours, to proue the writings for Reformatiō to be rebellious. Their reason is so sencelesse, that I maruell how it can proceede from men of wisdom. I am ashamed to bestowe more labour vpon it.

The seconde accusation of writing to *monie rebellion*, concerneth particular speeches scattered here and there in some bookes, which I would willingly deale vvithall, sauing that I haue resolved to open my mouth in the cause of the innocent, and to speake in their behalfe that are vnworthily (in mine opinion) ad iudged to death. Which trauell I would take aswell for the Bish, as for the Seekers of Reformation, if they should come into the like perill.

There neuer yet hapned any rebellion vnder her Maiesty, by the instigatiō of them that write in the cause of reforming the Church-gouernement. But if any should write to the intent *to stirre rebellion or insurrection* (though no insurrection or rebellion thereupon ensue yet) they be felons by this statute. Now whether the authors aboue named haue written to that intent, that commeth next to be discusled.

We ought not to bring newesences vnto wordes, but take that sence onely which the authour bringeth. To take the wordes without the sence, isto catch at the shadowe & leaue the body. Where wordes haue diuers senses, some good and some ill, by the rule of loue (vnlesse vehement presumption doe force the contrary) we ought to take the better, & leaue the worse, especially in criminall and capitall causes: Because *the Gods of the earth*, I meane the Magistrates, ought after the example of the *God of heauen*, incline rather to mercie then iustice. Which is the reason that by the lawe *The interpretation most beneficiall for the defendants should bee accepted*. For it is better to spare the guiltie, then take away the innocent, because *Bloud being spilt vpon the ground like water, can not bee*

a. Semper in ff. De Reg. iur. 14. H. 8. 14. Fitz. Marry. Sect. 8. b. Tass. l. 1. ab sent. ff. de par. Bract lib. 2. c. 2. Sum. 14.

gathered up againe. but a guilty person spared at one time, may be requited at another. Wherefore it is needeful, that Evidences in cases of bloud should haue *Claritatem probatōis in quadam excellentia*, A clearenes of prooffe in an excellent brightnesse. If there be no evidence of truth to induce vs to interpret the wordes vrged by aduerfaries to Reformatiō of anie rebellious intendement, then it will appeare, that the writers for Discipline bee not iustly drawven within this stature.

That which D. *Bancroft* alleadgeth of *Martine*, threatening of *siftes*, cannot in any equitie be drawn to rebellion. In saying, That D. *Bridges* (for writing against the Reformat.) woulde *boortie haue twentie siftes about his eares more then his owne*, hee meaneth nothing else, but that manie would exercise their handes in writing against D. *Bridges*, vvhich hath prooued true. Thus he explaneth him selfe in his seconde booke: the wordes in our vsuall phrase importing such a matter. To vnderstande this, as if *Martin* did meane to insurrection or rebellion, is altogether without reason. Here is neither argument exhortation, or denunciation, that implieth any motion to rebellion. *Martin* could not be so mad, as to imagine that such a light speech as this, were sufficient to drawe men to seditiō: especially such men as holde for an article of religion, that it is altogether vnlawefull for any subiect to resist his lawefull Prince, that holdeth of no creature but the God of heauen. If *Martin* had bene an *Atheist*, or *Papist*, who by their religion may *Rebell against lawfull & soveraine Princes*, the there might be some colour of this accusation, especially if instead of *twenty siftes*, *Martin* had saide *twentie Halberds* as the Bb. of *Lōdon* doeth comment vppon him. Though *twentie Halberds*, much lesse *twentie siftes* coule doe little to the raising of rebellion within Englande. Doubtles *Martin* doeth abhorre such horrible purposes: or if he cary any such minde, hanging is too good for him.

Whereas *Martin Senior* speaketh of an hundred thousand handes and of striking, his wordes bee carried (as I am perswaded) altogether from his sence and meaning. In that place he exhorteth the Lords, Gentlemen, and people of England to become ioint-suiters by one supplication to her maiestie, that in euery parishe there may be a preacher so neare as may be: that vnlawfull callings may be remooued, and Christes

14. Rem. 60.
chard. Reg. fu.

Daniel and de
Rel. criminall
pag. 228.

Mart. v. mas.
may of sif. 2.

c. Martin. first
Epist. pag. 2.

f. A. d. m. 10.
ag. M. M.
pag. 65.

Reproofe of
Mart. Senior.

officers restored to the Church: that there might bee a quiet meeting for the debating of the controuersies, or that men might be suffered to sue the Prelates at the Kinges bench, in cases where they abuse the subiectes against the lawes of England. He addeth, that there might be procured *an hundred thousande handes to this supplication of known men in this lande all her Maiesties most loyall and trustie louing subiectes, that these together would strike a great stroke, especiallie in so reasonable and iust a cause.* These are his words. For opening of which I propounde this question, whether any man doeth knowe the meaning of these wordes better then the authour himselfe, which no man will affirme, as I thinke. Then looke further vpon the wordes that follow. He falleth into a discourse of the *Bishoppes English* (as he termeth it) showing that they peruert by sinister exposition the ordinary proprietie of our English phrase, vvhereof he giueth diuerse examples, and at length commeth to this, That if a man should aske the Bb. vvhat it were in their language, to preferre such duetiful supplication as before hee had mentioned, to her maiesty, that they vvould make aunswere, that to deale in such a suite, were *to rebell, to pull the Crowne off her Highnes head, to make a faction, to wrest the scepter out of her Maiesties hande, and to shake off all authoritie.* A wonderfull thing (sayeth hee) is it, that humble and duetifullne to entreate, should in the English tongue signifie by vnbrideled force vnduetifullne to compell: and that to seeke the remoouing of unlawefull callinges out of the Church, should bee to threaten that the lawefull Magistrate should bee thrust out of the common wealth. Thus farre writeth this *Martin*, explaining fullie that though it was like the Bb. would peruert and misconster his wordes, as if he meant to moue rebellion, that yet notwithstanding he went about no other thing but to incline the magistrate by his owne authority to reforme all matters that were amisse. That an hundred thousand handes would *strike a great stroke in this suite*, hath no other sense then this, that if her maiesty should vnderstand, that an hundred thousand of her most louing and loyall subiectes should subscribe to such a petition, it would greatly mooue her Highnes to accept the same. This phrase is vsuall and knowen to an English man. For we vse to saye, *the cause hath receiued a great blowe, or a great stroke.* So *D. Bridges* writing against Lordship of Bb. sayeth, that *vos autem non sic, striketh dead*, that is *vsur-*

be overthroweth. *Lordly authoritie in the Ministers.* A man by wresting of such speeches as this, might make the best subiect in this Realme, a very traitor, if his writing and speaking were well obserued. But let traitours be traitours, and rebels be rebels, and suffer as is due to traitours or rebels. God forbid that a Tropologicall or Metaphoricall speech without intendment of anie harme, should come within the compasse of treason or rebellion.

*Franc. Iunius
writeth no
treason.*

Touching the wordes of *Franc. Iunius*, we desire *D. Cossins* to take a little paines in shewing which *Franc. Iunius* he meanneth. If he vnderstand *Franciscus Iunius* the famous learned man, who with *Tremellius* translated, and of late hath reviewed the Bible, who hath also written a whole booke in defence of the Eldership and Discipline, he doeth that worthe man exceeding wrong. It can not be proued that euer he wrote any such thing. But if he meane one who calleth him selfe *Stephen Iunius*, in a booke against tyrants (whom peraduenture it pleased *D. Cossins* of purpose to call *Franc. Iunius*, that men might suppose a louer of the Eldership, to be a fauourer of treason) I aunswere that this *Stephen Iunius* doth not mention the Presbyteries in all his booke. And whether he doth approve any such Eldership, it doeth not appeare: or if hee helde anie such frensie as *D. Cossins* fasteneth vpon him, the Seek. of Reform. doe disclaime him.

*a Findcom.
17100*

*Franklin hath
granted for
want of Refor-
mation.*

That many thousandes in Englande Desire the Discipline is true. and the number doeth increase daily. That great trouble would come of it if it were not admitted, hath appeared. For we see howe schismatikes doe trouble the Church, and what endles writing is on both sides, and all touching this Discipline that yet wanteth. But what is here that carieth the countenance of any sedition or rebellion, vnlesse *D. Cossins* thinke there can bee no trouble but in rebellious and warlike order?

D. Baucroft, not finding pregnant matter for his purpose at home to giue shewe that the Seekers of Reformation be rebellious, he maketh roade into Scotlande; challenging those Churches (as his friendes the Papistes had done before) That the Scottish Ministers who fauour Discipline, haue abused their King, preaching seditious and seditions doctrine, treating vpon his scepter, imitating the papall iurisdiction, labouring to establish an ecclesiasticall tyrannie of an infinite iurisdiction.

*b Baur. Seru.
pag. 74*

*The Scottish
Ministers not
seditious.*

*c Ad personam
Aug. pro catho
Respon. in lib
de concersas.
eccle. catho.
pag. 359.*

pms-

Putting the King in danger of his life: whereupon the King over-
threw their presbyteries, and restored the Bishops to their places,
And galloping on the way in this order, he making in effect
that right noble & Christian King (his Maiesties most neere
friende and knisman) a flat hypocrite, grounding himselfe
vpon a booke counterfait by the gracelesse Archbishop of
S^t Andrews in the Kings name. Wherevnto the King neuer
assented, as the Ministers can shewe by his Royall letters yet
referred in *Edinborow*: the wicked Prelate since that time
hauing sought to be reconciled to the Ministers whome hee
slandered, Which thing you may the rather beleue, if you
consider that the King hath taken so good liking of the Mi-
nisters & the Presbyteries, that he hath made publike pro-
testation to mainteine the same while he liueth, And to sub-
iect the Nobilitie therevnto. Likewise when the King reade
D. Banc. booke, and came to the pag 75. where the Doctor
chargeth him to be an hypocrite or dissembler, The King vpon
the margent of the booke did write these wordes: *My*
speaking, writing and actions were and are ever one without dissem-
bling or bearing up at any time what euer I thought. Ergo, Castes the
libell, ne quid asserimus, that is, Therefore the Doctor sayeth vn-
truly, that I vse no rougher wordes. Signed thus, *J.R.* that is,
Iacobus Rex, Iames the King.

D. Banc. at
fish the king
of Scotland

The King of
Scotland re-
proach D.
Bancroft.

The same Doctor bringeth in some forraigne authours
whom he saith were fauoures of Discipline, yet brochets of
rebellious and straunge propositions. These authours did
write either against such as they accounted vsurpers or Prin-
ces by election & popish tyrants such as hated our religion:
they did not write against any protestant Prince, neither in
defence of the Discipline, but rather of the doctrine which is
nowe maintained in Englande. As D. Bancroft doth alleadge
these authours to proue the Discipline to bee trayterous and
rebellious: so the papistes do alleadge the same men to proue
that the doctrine of the Protestantes is seditious. The allega-
tion doeth holde against both alike. Our Religion doeth not
depende vpon the opinions of one or two men. Where one
fauourer of the Elderthip hath written trayterously, I coulde
produce five hundred, who were maintainers of the Hierar-
chie and ranke traytors. Our English Bishi. haue resisted, re-
belled, and deposed many kings of England. They haue most
sawlicke abused the Nobilitie, as might bee shewed. I heare of
none

D. Banc. of the
popish doctrine

Murelure so
Princes by L.
th. the Elders

All traytors
to the Quene
haue favored
the Hierarchie

d Booke prin-
ted by Walde
graue. 1590.

o 7 d in a
booke against
D Banc. prin-
at Edinb. 1590

f Sermon p. 78
o 79.

g Ad persecu-
Angl. Respo. n
lib. de concor.
eccl. Casib. in
Angl p. 330

none that either attempted or effected treason or rebellion against his Majesty but papists, & all such do approve the principality and jurisdiction of Lⁱ. B^b.

Thus farre haue I proued (as I hope sufficientlie) that it is not lawfull or agreeable to the trewe intent of this statute to iudge these writers for Reformation as diffamers of his Majesty, or rebels, and therefore that they ought not suffer as felons. Some haue helde, that though it be not consonant to the lawes of England, that the Bishops should presse the othe *ex officio*, as they vse to doe, yet that it is *expedient* they should continue their proceedings, as they haue begunne: if any in the same conceite should holde, that albeit it is not lawfull to execute the Seekers of Reformation as felons, that yet it is *Expedient*, I answer, that if such law be admitted, it will be the most dangerous & perillous practise that euer was receiued within this Realme of Englande. For neither the Prince, the Councillours, the Magistrates, Bishops, Judges, or best subiectes can liue in security. If men may violate law and iustice vpon a colour or pretence of *Expediencie*: what endlesse mischiefes may insue vnto the common wealthe? What kinde of president would this be to al succeeding ages? To what purpose haue our auncestours provided that there should be euerie year or oftner a Parliament to supply the defectes of law, if vpon a surmise of experiencie men might goe beyond the listes and limites of lawe? If the reuerende Iudges of the lande who ought to preserve the integrity, and honour of the lawe should admit any such learning, besides that it would overthrow both the common and statute law, it would indaunger the keeping of their oth, & giue their goods, landes and liues to the Princes pleasure.

Some will expect that I shoulde answer the charge against the writer of the Demonstration (if one man made both the Epistle and the booke which I haue not as yet hearde to be proued) but seeing he is convicted by the verdict of 12. men, the proceeding against him notoriouslie known, the accusation and woordes wherevpon hee was convicted in euery mans mouth: I leaue it to the iudgement of the great day, when the Iudge & all Iudges shal be iudged before the Iudge of heauen and earth, who will rewarde euery man according to that which he hath done, good or ill. ^a *Præconiū in die* ^b *O carib' thom canst' not*

The evidence
brought for the
bookes, has con-
uicted for the
Epistle.
The Answer
for the Parres
sach, that M.
Powers made
the dem onstra-
tion, yet Mai-
or V. shall suf-
fer for it.
An Admoniti-
on to all O. fa-
cers and Ma-
gistrates.

^a Psal. 116.
15.
^b Job 16. 18.

TO HER MAIESTIE.

79

coner bloud It still cryeth in the eares of the Lord for vengeance, saying, *How long Lords body and true, dost not thou iudge and auenge our bloud on them that dwell on the earth!* Surely, he that preferueth the haire of the head, and putteth the reares of his seruantes into a bottel, will much more preferue in his bottel the drops of the bloud that fall from the bodies of his santes. Therefore be warned, bee wise, and take heed what you doe, ye Iudges of the earth: It is one thing to deale with a theefe and murderer, another thing to iudge a Minister & preacher of the Gospel of Christ your redeemer, and that in matters of religion, wherein God knoweth you have small vnderstanding.

Thus haue I runne ouer the objections made to proue the writers of Reform. & against the Hierarchie, to bee defamers of hir Maiestie and rebelles. I will proceede a little farther to shew that if men would be curious in their writings that deale for the Bb. and if their wordes with a little inforced, so they might be by *M. Dehou* in some such fashion for the Bb. I feare they might incur the daunger of this statute as easily as others.

The Bb. in their booke doe write, *That is a no lawfull bestowe such liuings upon late men as are appointed by Law to Preachers of the worde.* Though this might haue good, and yet querthrowe many of our Bb. states & honors who preach not the word, yet this doeth reproch hir Maiestie, who doeth employ some of the Bb. liuings oftentimes to better vles then Bb. doe bestowe them. *M. V. Poles* that famous protestant taught another lesson, *Let Regibus auferre temporalia vniuersis, sed non auferre ab eis spiritualia.* It is lawfull for Princes to take from ministers their temporal liuings, if they be idle, but not to take from them their spiritual liuings. And who will not make the superfluitie of a Bb. liuing better bestowed yppon such a man as *Sir Francis Walsingham*, that right honorable Counsellor and benefactor of the Church and Countrey, then yppon any Bb. that referreth all abundance to the advancement of his house and posteritie?

D. Bridges mainteineth in writing, *That a Priest more haue a greater age Lordly iurisdiction ouer all the Lords allment and obedience.* Which implieth an extrenall Lordly iurisdiction ouer hir Maiestie viles he will say, That he is none of Gods heritage, both which might be made a daungerous doctrine.

D. Bancroft writeth, ^a That her Maiestie is a Pety pope, and ascribeth to hir all the iurisdiction that the Pope euer had by usurpation. M. Iewell saith, ^b That the popish Prelates gaue K. Hurre the 8. the strange and vnusd title of head of the Church, ^c so bring him into the slander and talk of the worlde. And the Parliament for auoyding scandale, changed the title of Supreme heade, to Supreme Governour. If Maist. Iewell misliked that the Queene should be called Supreme heade, what would he haue thought of Pety pope? or howe can the Parliament beare this? Do not the Protestantes detest in the pap, their woman pope? The Archb. of Canturb. would bee displeased (and I can not blame him) if a man should call him Pope. Notwithstanding the Pope saide of one of his predecessors, ^d *Includamus hunc in orbem nostrum antiquum clerum orbis Papam*: Let vs include this Antelme in our worlde as Pope of another worlde, meaning great Britaine, called by the auncient writers a world by it selfe, yet it is thought nothing to call hir Maiestie a Pety pope. Doctor

^e Whidger saith, That the Name, authoritie, and person of the Pope, all Protestantes doe abhorre and accurse to the Prince of darkness whence it came. The papistes doe slaunder hir Maiestie to be a Pope or Pety pope: but M. Nowell^f telleth the papistes, and D. Bancroft also, That wee doe not teach that the Prince be either Pope or Pety pope. The papistes also doe abuse hir Highnes, as D. Bancroft doeth, saying: That wee take the Supremacie from the Pope and give it to the Prince. But Doctor Rainolds^g answereth, That the Supremacie which wee take from the Pope, wee give to no mortall creature, Prince or other. But D. Banc, who thinketh himselfe a great Clerke, as if he were a deeper Diuine then either M. Nowell or M. Rainolds (whom he setteth to call a Protestant) maketh hir Maiestie a Pette pope, & as though he had not some of the Popes power, but ALL honors, dignities, preeminences, iurisdictiones, primities, authorities, profits and commodities, which by usurpation did at one time appertaine vnto the Pope. If a man can dissume by foolish flatterie, then D. Banc is the most notorious dissembler of hir Maiestie in England. Neither lawe, reason, religion, or good manners doeth warrant this.

God forbid that like extremity were extended for these faultes, as hath bin used against the Seek. of Reformat. I doe not recount them for that purpose, but onely that the Bb. and their friends, seeing their owne case (if hir Maiestie were

not

Archib. of
Cant. pope.

some diuision
orb. Britan-
nos. Vign.

some diuision
orb. Britan-
nos. Vign.

some diuision
orb. Britan-
nos. Vign.

some diuision
orb. Britan-
nos. Vign.

some diuision
orb. Britan-
nos. Vign.

some diuision
orb. Britan-
nos. Vign.

some diuision
orb. Britan-
nos. Vign.

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some diuision
orb. Britan-
nos. Vign.

some diuision
orb. Britan-
nos. Vign.

D. Banc.
firm pag. 68.
lin. 19.

h. Deuice
Apol. p. 70-4.

A. B. & M.
pag. 188. Con
Barons.
Lambert. per
and of Kent.
Answer
Remol. p. 12.

A Hard remon-
strance of the Apol.
pag. 198. 199.
Scap. Dele.
Princ. 1. 5.
17. & 18.
in Dorn. Rep.
pro. pag. 12.
in Sand. Rept.
pag. 382. Eng.
Sama. 45. 23.

in Confr.
pag. 674.

Sermon.
pag. 70.

not mercifull) may deale more curteously with their brethren.

Conclusion.

Considering the doubtfulnes of these controuerfies, I trust your Maiefty will take some good order for the peaceable debating & compounding of them. In the meane time we hope that these things which are here written, being well weighed, your gracious and tender heart will neuer suffer one drop of bloud to fall to ground for these causes of Reform. till it evidently appeare where the fault lyeth.

This is the intent of this humble petition, made onely for the peace of this Church & quiet of the Realme. Which two things it behooueth all Christian subiectes to aduance for ward with their whole endeouour.

The God almighty, who to the great wonder of the world, hath most miraculouſlie defended and deliuered you from all the cursed enterprises against your Realme and person, preſerue your Maieſtie many yeares in health, honour, proſperity, and victory to his glory, the good of his Church, the reliefe of his Saints, to the ioy of Englande, and all Nations that preſeſſe the trueth, **AMEN** good Lord, and cursed be he from heauen, that ſayeth not from the heart, **AMEN, AMEN.**

G

To

To Her Majesty
most Excellent Majesty
Elizabeth

James

Considering the goodness of his conversation, I trust
that he will take some good order for the peaceable de-
fence & comfort of them in the mean time we hope
that the things which are here written, being well weighed
your grace and tender heart will never suffer the hope of
being established ground for the order of Reform. This en-
dorsed appears where the first is set.

This is the nature of the insupportable petition, made only for
the peace of the Church & quiet of the Realm. Which two
things in behoof of all Christian subjects to advance for
ward with their whole endeavour.

The God almighty, who is the great wonder of the world,
hath most wonderfully defended and delivered you from
all the cruel enterprises against your Realm and person,
preserved your Majesty many years in health, honour, pro-
sperity, and victory to his glory, the good of his Church,
the relief of his Saints, to the joy of England, and all Na-
tions that profess the truth, A man good lord, and careful
be he from heaven, that they step not from the heart, A man

AMEN

To



To the ende that it may appeare howe vn-
iustlie the Seekers of Reformation are flau-
ndered by the Bishoppes and others, I thought good
brieflie and truely to deliuer the opinions of such
as sue for Reformation, which I haue ga-
thered out of their bookes, and
seene in their practise, and
heard in conference
which I haue had
with them.

THEY openly professe and acknowledge that they be
sinfull men, subiect to infirmitie as well as others. They
doe not call or account them selues *Carbar* or *Puritans*.

and therefore if *Augustine* say true, that *Carbari sunt qui se-
ipso isto nomine quasi propter mundiciam, subambustione a quo ad-
efflant nominant*: They bee *Puritans*. But in conceits of these
diuine parties, doe most proudly and otiously call them selves by that
name, then vvinhout question they be no *Puritans*, vnles
in that sence that all the Apostles (saue *Judas*) and all other
true Christians are called *Kathari* or *Puritati* in the Scrip-
tures.

They doe absolutely yeelde and subscribe to all the
articles of Christian faith and doctrine professed in the Church
of Englande, according as they bee inioyned by the lawes of
the lande: and therefore they doe not offende againt the
Statute made in the thirtenth yere of her Highnes reigne,
and wihall haue open iniurie in being called schismatics.

They doe willingly giue to her maiesty all that pow-
er, leuicramtie, and authoritie whatsoeuer is recognised to

*Princes supra
may.*

be in her Highnes, by the othe of the Supremacies, as her ma-
jesty and the Parliament haue expounded it: and therefore
they be not Traytours by the statutes of *primo* or *quinto* of her
Majesty.

*1 Eliz. cap. 1.
Admon: an-
nexed to the
Oath: 1534.
5 Eliz. c. 1.*

*Obedience to
magistrates.*

4 They professe all submission reuerence and obedience
to the right Honourable the Lordes of the priuy Councell,
the Iudges, and all other ciuill Magistrates of this state, ho-
nouring them as Lieutenants of God and, her Majesty: and
therefore they be not Anabaptists, who would abandon the
authority of Magistrates and distinctions of states among
Christians. And although they beleue that it is not agreea-
ble to the doctrine and example of Christ and his Apostles,
that Bb. and Preachers should accept temporall Lordship,
and ciuill authority, yet they honour that authoritie which
is deuued to them from her Maiestie, in regard whereof they
submit them selues to be conuicted, imprisoned, fined, &c.
by them: much lesse will they with force and armes resist
or rebell against her Maiesties most lawfull authority, ey-
ther in her selfe, or being deputed to others who are not dis-
abled by Gods worde to vse it: and therefore they bee not
within the statute of *viceimo tertio* of Raising rebellion against
her Highnes.

*McCartney and
the rest in
all their greo
condemns.*

Obed. officio.

5 They hold it lawfull and necessarie, before Magistrates
to take an oth being called thereunto, so that the oth (being
a matter highly concerning the worship of God) be guided
and taken as the Scriptures allowe, that is, not in vaine, where
a matter may bee otherwise proued by sufficient euidence or
witness: nor yet rashly, as swearing to answere they know not
to what, or before the Articles which they must answere vpon
their oth, be made knowen vnto them.

*Prision exte-
nded by M:
Fox: and
others.*

*Temporall
Courts.*

6 They seeke not to pull downe the Courts of Iustice, as
the high Court of Parliament, the *Star Chamber*, the *Kings Bench*,
the *Chancery*, or any of the rest, but they desire they may
stande as they doe, saving that Bb. & Ecclesiasticall persons
should be shut out from them, & set to preach the gospell, &
follow their owne vocation, not being charged with other of-
fices, vnles they were sometimes called in weighty difficult
causes, to giue counsell & aduise what may or should be done
by the word of God.

*Publick proce-
sses in books
and sermons.*

7 They denie not but that matters of Testaments and
Ma.

Abstract.

Marriages may bee determined by Ciuilians in their Courtes (if it seeme not good to the Parliament to transerre these things to the temporall Lawiers) alwaies provided, that their Courtes may be made meere tēpora ll, not intermeddling wi the Church Censures: provided likewise that the Bb. or other Ministers haue no dealing therein: provided also that causes may be iudged there, not by popes lawes, but by the word of God, the laudable Customes, Statutes, Iniunctions Synodall, and Prouinciall Constitutions accepted in this Realme, a greable to the word of God, and established by hir Maiesties authoritie and aēt of Parliament.

Publick writ-
tings

8 They teach, that neyther the Ministerie nor people of this Realme ought to make any general Reformation, neither with force and armes, or otherwise of their owne authoritie, change any lawes made or established for religion by authoritie of Parliament: but they holde that the generall reformation doeth belong to the Magistrate, as Gods Lieuetenant, to deale in: and that for them selues they may and oughte in dutifull and christian sorte both preache, write, and sue to the Magistrates for redresse of enormities, and also praefise the ordinances of Christ which he hath commanded his Church to keepe to the ende of the world: and therefore they haue not incurred the dangers of lawes made against *Riots, Rouses, or unlawfull Assemblies.*

General Re-
formation by
the Magistrate

1. Mar. c. 12.
2. Edw. c. 17.
25 H. 8. c. 19.
1. Eliz. c. 1.

Diffamation
of her Maiesty

21. Eliz. c. 2.

9 They detest all such as aduisedly, fallly, or maliciouslie flander or diffame her most excellent Maiestie: and therefore they be not felons by the statut provided against spreaders of *News* or false rumours.

M. Horel &
others,

10 They doe maineteyne, that (according to the appro- ued doctrine of Englands) Emperours, or any Christian magistrats whatsoeuer, being members of the Church of Christ, ought to submit themselves to excommunication, or other ecclesiastical censures, being duely, orderly, vpon iust occasion, according to the commaundements of Christ, executed.

Excommuni-
cation of Pro-
cess.

Dones and
the rest.

11 That a Magistrate standing excommunicated, ought to be obeyed and honoured in all respects of subiection, for custome, subsidie, loue, or any other imposition or seruice whatsoeuer of body, goods and landes, as they were not excommunicated. And therefore they abhorre the Antichristian and most pestiferous doctrine of the popish sorte, that

Excom. Prince,
p. 70.

gueth

guish liberty to the subiect to withhold his seruices and duties from the Magistrate, so long as he standeth excommunicate.

Church government.

12 That euery Congregation professing the faith and obedience of Christ might haue one or two sufficient Teachers faithfully labouring in the word of God & doctrine: so mainreyned as they might keepe hospitalitie: not hindered or intangled with ciuill offices, wherby their flocke should be neglected.

The scope of their bowes and supplications to the Parliament

Of Ministers and Teachers.

13 That euery Congregation professing the faith and obedience of Christ might haue one or two sufficient Teachers faithfully labouring in the word of God & doctrine: so mainreyned as they might keepe hospitalitie: not hindered or intangled with ciuill offices, wherby their flocke should be neglected.

Elders.

14 That euery such Congregation might haue assistant to their teachings Elders, some of the fittest, best, & most godly of the church, who should ioin the Teachers with the ecclesiasticall ruling and governing of the Church according to the worde of God.

15 They would not haue these me any whit to encroch vpon the Maiesties authoritie, to punishe any man extenuable, with any pecuniary or corporal penaltie: but that they also be subiect to the higher powers & keepe themselves within the compasse of their calling for the seruice of the Church, as Christ hath appointed.

Deacons.

16 That in euery such Congregation there might bee some appointed of the most honest and sufficient men to gather for the poore, to keepe the Church treasure, for the vses of that Church, and to the reliefe of the poore among them, & other neighbour churches.

Widowes.

17 That also there might bee appointed some graue and olde Helpers or Widowes, qualified as the Apostle commaundeth, 1. Timoth. 5. 9. 10. to tend the sick, aged, friendlesse, and needy of the Church: and (as they coule) other neighboures, or wayfaringe men, that people might not languishe or dye in our streetes and high wayes, for want of reliefe, as is most pitifully to beholde in manie places.

Election and ordination of Church officers.

18 That all these shoulde bee chosen and ordeyned in such manner and by such persons as the worde of GOD, the practise of the best primitive and moderne Churches doth warrant.

That

19 That if any dissention growe or cause of grievance bee given in any particular Church by the Minister or Officers, the partie griued might appeale to a particular Synode, from the particular Synode to a Prouinciall Synode, from a Prouinciall Synode to a nationall Synode. Which Synodes should be appointed at set times: The more particular the Synode is, the more often the Synode for the time to be moderated by some fitt man changeably by election, that might write, speake and praye in behalfe and at the direction of the rest. Or the partie griued might appeale from the particular Congregation or Synode, immediately or at the first instance to the Magistrate, vvhought to punish both the Ministers and other ecclesiastical officers, if they abuse their places and authoritie, not vsing them according to the direction and warrant of the worde of God.

*Bezon: Erast.
in Praefat.*

*Grayall re-
formation.*

20 They doe not meane that there should be appointed presently and out of hande, these Officers aforesaide in euery of our Churches, as they now stande (for there do lacke Ministers, and people fitt for these purposes) but they humbly desire that such people as be already capable heretofore, and willing to liue as becometh the Churches of Christ, might as they are commaunded by Christ, so also bee permitted by the Magistrate thus to loyne and walke together according to the worde of God: that it might be enacted and required also by publike authoritie of the Magistrate, that all they should execute their offices, and liue in such sorte, manner and forme as Christ hath giuen direction to his Church in his vvil and Testament: that withall good order might bee taken for training vpp of youth for the ministration of the Churches: and thus at length, by the blessing of GOD, rather Maieesties subiectes, vvhich will walke as the Churches of Christ, might be furnished, guyded, and gouerned in manner aforesaide: and so liue in all christian and due full obedience to God and his Maieestie.

21 They doe profess and protest that they cannot and will not owe this Reformatio, which they desire to be most agreeable to the Scriptures, to haue the testimony of the best and most learned men that haue bin since the Apostles: that it is not preiudiciall to his Maieestie, nor to the Lawes or the State, but

*Defense of
Reformatio.*

OPINIONS OF SUCH

profitable every way, and commended by Christ to bee kept of his Church unto the ende of the worlde, both vnder Christian and Heathen Magistrates: as they make challenge to proue against all the learned men in the worlde, that are contrary minded, if they may be heard.

This is the summe of their professed opinions, and of the Reformation desired, as I doubt not but they will relise if they bee called in question to acknowledge the same. They that condemne them vpon their aduersaries reportes (who intollerable doe slander them in many things, and are altogether partiall in their owne cause) doe shewe them selues to bee men of small discretion or Christian charity.

To the godlie Reader.

MArvell not good Reader, that I do not affixe my name to this my Treatise. It is not knowne who was the writer of the Epistle to the Hebrewes, and of diuerse other monuments of holie Scripture, neither of sundry booke published heretofore, or of late, in defence of the doctrine and gouernement of our Church in England. If a truth, & nothing but the truth be deliuered, it sheweth not whether the professor thereof be knowne or not. Wherefore I doe iustlie censure the blame on iustie of some indiscreet persons, who being placed in mee degree of authoritie, are not content to enioine the fruites of other mens labours with thanksgiving, but doe continually exercise and trouble them, selues in calculating, and diuining who best liketh to bee the authors, and promoters of their goods. If they had any consideration of the manner of the time, wherein an indifferent well-willer may scarcely haue heard to speake the truth, or if they weighed the grieuous molestations to others, and vnprofitable pleasure that may thereby ensue vnto them, selues, they would trouble these vnlike long afflictions, least that they preiudging against them in needlesse trifles, doe at length geue ground vpon them in greater matters. Rahab hath procured to her selfe a memorable commendation for

biding

binding Gods seruantes when their aduersaries and her Masters,
 sought to apprehend them. If the holy man that wrote to the He-
 brewes thought it most convenient in gally pabey to keep his name un-
 known, assuredly they should haue beene deemed curious and idle brai-
 ned, that would either haue bene inquisitive to know the same, or ha-
 uing knowledge thereof, would foolishly haue blabbed it abroad to o-
 thers. Which thinges I speake rather in behalfe of others, then in feare
 of anie danger that might growe vnto my selfe by this enterpryse. For
 first, that which I haue written, cannot I trust, offende anie reasonable
 and not partiallie affected person: or if it doe, the vprightnesse of mine
 soule & conscience, and loyalty both to this Church and commonwealth,
 will I hope, inable me to sustaine and endure with cheerefulnesse, all
 the malice and displeasure of anie enemy to a godly peace. Secondly, I
 desire not desire as any man hands the fauour of concealment in this a-
 ction. For although I haue attempted and published this my trauell
 without making my selfe knowne to any creature, yet when my appa-
 rance shall be found more profitable to the Church then my conceale-
 ment, I will come forth and iustifie my words in such manner and forme
 as I haue written. In the meane time I wish every true hearted Chri-
 stian, To pray for the peace of Ierusalem, that now at length her
 Maestie (if God will) rather then any other Prince succeeding, may
 haue the honor in reconciling the two twinnes that strue together in
 the body of our Church, to take great perill and danger of themselves.

Nubecula est, cito transibit.

H2

Cer.

80
Certaine Articles yvherein is discovered the
negligence of the Bb. their officialles, fa-
vourers and followers in performmance of sundry Eccle-
siasticall Statutes, Lawes, and Ordinances Royall and E-
piscopall published for the governement of the Church of
England.

Out of the Statutes.

Deben offic. **B**y the statute of 25. H. 8. cap. 13. It is accorded by the
Parliament against equity and the order of iustice, to
bring any man in danger of his life, name, goods, or
landes, by any intrapping interrogatories, or by any other
meane, then witnesse, verdict, confession or presentment. Yet
the Bishops doe examine the Queenes subiectes vpon intrap-
ping interrogatories without verdict, witnesse, confession
or presentment, to the danger of their lives, names, landes
and goods: for making, printing, or dispersing, of seditious
bookes and sundry other grievous crimes, vpon vaine sum-
mes, or secret suggestions of lewde persons, who dare not auow
their accusations in the face of the Defendants. Whereby the
subiects be intollerably molested, without remedy or redress &
damages awarded for their vexations, & molestatiōs wrong-
fully sustained.

Bayle. 2 All men are baylable that are not prohibited by law to
be bayled, 2. *West. ca. 12.* yet the Bb. deny bayle to some that
ought not to be imprisoned, much lesse be vnbayleable by a-
ny lawe.

*Seale of cita-
tion.* 3 No official or other officer should take any more then
three pence for the seale of a citation, else they forsayte dou-
ble costes and damages to the partie grieved, 23. H. 8. ca. 9.
1. *Edw. cap. 1.* yet they vsually take more vnder colour of sig-
ning or subscribing a citation, which is a thing in lawe materi-
all, *Termes in Lawe. Tit. Feits.*

Pape lawes. 4 No forreine Constitutions, whether they be the Popes
or Emperours lawes, haue any force in our state. Onely such
Synodall and Prouinciall Ordinances as haue beene made
within this Realme, are confirmed for lawe, 25. H. 8. cap. 19.
yet the Bishops in their Consistories doe put in practise the
Ro-

Romish and imperiall constitutions, not contenting themselves with the Statutes, Injunctions, and other Ecclesiastical ordinances of this Realme.

5 Such Canons and Constitutions onely as be not repugnant to the lawes, statutes & customes of this Realme, ought to be put in practise, 25. H. 8. cap. 19. But the Bishops give sentence in infinite matters, which would be otherwise ruled by the common lawes.

Canons repugnant to the common lawes

6 The law accompteth them Ministers who are made after anie other order then is prescribed in the lawes of Englande, so that they will subscribe to the Articles of faith and doctrine, 13. Eliz. cap. 12. yet the Bishops haue reckoned such men as haue bene ordained ministers in reformed churches, to be lay men, though they esteeme a popish priest a sufficient minister.

Ministers reformed Churches.

7 The lawe requireth a subscription to the Articles of religion onely, that concerne the confession of true faith and doctrine of Sacramentes, 13. Eliz. cap. 12. The Bishops vrge a subscription to the bookes of Homilies, and diuers ceremoniall and transitorie matters, neither concerning faith nor Sacrament.

Subscription.

8 If the Bishops publish any Canons or orders to be practised without the Royall assent of her Maiestie, they should be fined and imprisoned, 25. H. 8. cap. 19. Notwithstanding this statute, they publish Subscriptions in their provinces, and Articles in their Diocesses without any assent of hir highnes.

The Queens assent to Bb. Articles.

9 By the Statute 23. Eliz. cap. 1. the Ordinarie of his Ministers should not take any thing for allowing or licensing a Schoolemaister to teach. And neither the statute nor any injunction or lawe requireth a subscription by Schoolemasters yet it is famouslie knowen, that they extort of Schoolemasters for licences to teach, of some 7 shillings, of some tenne shill. of some a marke, according to his state that admitteth them, whether he be Archb. Bishop, Chauncelour or official. The Iustices of peace ought to cause this grosse and palpable extortion to be inquired of at their Sessions. The enforcing of subscription vpon Schoolemasters is vpon like warrant of law and iustice.

Licences to teach.

10 By the great Charter confirmed by many Kings of England in parlamentes, and by the auncient Bb. by their Excommuniements, None should bee imprisoned but by the lawfull

Imprisoned without law.

iudgements of this Peeres, or by the lawe of the lande, May Charr. Cap. 29. The Bishops will punish the men for not swearing vainly, and Women for not being Churched; &c. without triall or shewing authority of law to warrant their proceedings, to the great periuice of the auncient and lawfull libertie of English subiects.

Out of the Common lawes.

Obiter officio. 11 By common law a man shall not be examined vpon his othe in matters that sound to his reproch. For no man is bound to accuse him selfe, *Crompt. 182.* yet Bishops would examine men vpon their othes in case of felonie, as for writing & publishing of seditious bookes.

Circumstances. 12 No man should be cited to a spirituall court, to depose there in any matter as witnesse: for this is extortion and tort to the party, *Fitz. Just. of peace, pag. 172. b. Crompt. 219.* this is not remembered of our spirituall Doctors.

Ex officio. 13 No Bishop ought to appoint a man to appeare before him to take an oth *ex officio*, saving in matters of marriage and Willes. And the cause of the appearance must be expessed particularly in the citatio, otherwise it is against law, as Iustice *Fitzherbert* saith, *Nat. bre. pag. 41.* yet the Bb. boldly presume against this lawe.

Out of the booke of common prayer, authorised by act of Parliaments.

Morning and Evening prayer. 14 It appeareth by the Kalender which assigneth 4 chapters to be read every day through the year. Also by the preface and order of reading the Psalmes, that the morning and evening prayer should be read every daie through the year, either publikely or privately, except great busines hinder: yet they be onely read vpon Sundaies, Holidiaies, Wednesdayes and Frydaies, and Saintes Eies.

Toll the bell. 15 The Curate must toll a bell to seruice, that is, he must eyther doe it himselfe, or appoint another: yet this is deputed to the Sexton or Clarke, who is founde by the Parish, and not by the Curate.

Communion. 16 The people are to answer the Priest to say, **A MEN,** and such like: yet this is permitted to the Clarke alone in most

c Preface to the Communion booke, d Rubricke as Morning prayer as the communion and Communion.

most places, who after the popish order must supply the room of the vile carned and say *Amen*, as the papists doe abuse the scripture to that purpose.

e1. Co 14. 16.
f Rubricke
before 10
Deum.
g Rubricke be-
fore the com-
munion.

17 Where there is singing, there the *Lessons should be sung in a plaine tune*, & likewise the Gospel and Epistle: yet I have not known this vsed in Cathedrall Churches.

Sing Lessons.

18 The names of Communicantes before they receive should be signified to the Curate, yet this is not regarded in most places.

Communicantes names.

h Rubricke be-
fore the com-
munion.
Queenes Ju-
rurich. 21. Art.

19 The Curat (be he neuer so base) shoulde not suffer notorious ill liuers, such as haue wronged any by woordes or deede, neither men out of charitie (be they Barles, Counsellours or others) to bee partakers of the Communion, till they haue declared them selues openlie to be repentant and reclaimed: yet notorious lewde persons be admitted, and men of state (without exception) are not hindred, nor anie open confession of sinne is vsed by any offendour, but whom the Officiall appointeth, though the authours and confirmers of the communion booke doe generally with it.

*Notarium of
sunders suspen-
ded from the
Lords Supper.
Open confessi-
on of sinne.*

i In the com-
munion.

k First Ru-
bricke.

20 The Minister should vse the ornaments appointed by King Edward, yet not he alone, but the Clarke also doeth vse a surplice in many churches.

*The Clarke
Surplice.*

l Rubricke
next after the
communion.
m Pag. 5.
n D. Brady,
pag. 33.

21 In Cathedrall & Collegi. Churches, the Communion should be ministred euery Sunday at the least. This is not practised. The Aduertisement appointeth the first Sunday in euery moneth. But the Bishops Articles tie Ministers to vse the forme prescribed in the communion booke and no other.

*Communion in
Cathedrall
Churches.*

o Exhort. after
pub. hopes.

22 The Godfathers and Godmothers are commanded that they 1. shall call the children for whome they promise, to heare sermons. 2. They must provide that they bee taught to learne all thinges necessarie for Christians. 3. That they bee vermouthlic brought vp. Which thinges al Godfathers and Godmothers might bee enforced to doe (for the lawe will not commaunde a thing without allowing a meane to effect) yet the Bishops doe neuer enforce this by ecclesiasticall censures, though infinite children doe, for want of this helpe, perishe in ignorance.

*Godfathers &
Godmothers
dutie.*

p Rubricke
next fol. : com-
firm.

23 Bishops are commaunded to confirme children: yet diuers Bb. doe not vse it, albeit by lawe, noe man shoulde receyue the Communion till hee were first confirmed. A good plea for papistes to refuse the communion, this confirma-

*Confirmation
of children.*

tion

tion would cause children to learne the principles of Religioⁿ for none should be confirmed^d till he could say the Lords prayer, Ten commandments, and the short catechisme.

*Catechising of
all sorts of
men.*

24. Curates of every Parishes ought upon sundaies and holidaies halfe an houre before euen-songe openly instruct and examine children, seruantes, and prentices in the Catechisme. A profitable worke seldome or neuer^{ly} used by the Bishops followers. By the booke of Canons the Curate may examine any of what age or degree sooner, be they olde or younge, noble or vnnoble. The Bishops account it tyranny in some Ministers to expect or exact this thing.

*Examination
of Communi-
cants.*

25. None must be admitted to the Communion that can not say the Catechisme. Therefore Curates should examine Communicantes, and seclude them that be found wanting in knowledge: but this is not regarded.

*Banns of
Marriage.*

26. Banns should be asked three seuerall Sundaies in the open Church: yet Bishops dispence with asking banns Non ob-
stante this booke confirmed by Parliamēt, as if a Bishop might dispence with penall Sarutes.

Out of the booke of ording Deacons, &c.

At the

27. The partie presented to the Bb. should weare a *Plum Alke* (by the booke of ordering Ministers, confirmed by Parliamēt) yet this garment in not vsed.

*Deacon to look
to the poore.*

28. The Deacon by part of his office ought to searcke for the sicke, poore & impotent of the parish, and intimate their estates to the Curate, &c. But nowe the office of a Deacon is accounted meere spirituall.

Tunic.

29. The Deacon must read the Gospell in the day of his Ordination, wearing a Tunic: but this vesture is scarcely known at this day.

*Yell and New
vestment
ministers.*

30. The Bishp must tell the Minister at his Ordination, That if his Church or any member thereof, do take any by thy negligence, that horrible punishment will insue to him. Hee chargeth him, neuer to cease his labours, care and diligence, but bee haue done what lyeth in him according to his dutie, to bringe all that are committed to his charge, that there bee no error in Religion or viciousness in life left in them: yet it is manifest, that the Bb. Priests, and Chaplens, are most negligent in their charge, turning ouer their travell to other, vvhich they are charged

here

*q Rubric: 13. firs the Catechisme.
r Rubric: next folle confirm: and Quenes mact: art: 44*

1 Pag: 14. and 16.

q Rubric: next fol confirm.

r Rubric: 16. 16 a Marriage.

*in Booke of ord. ministr: pag: 3. and 7.
x 8 Elric:
y Boke of ord. ministr: pag: 13.*

z Boke of ord. ministr: pag: 25.

Book: of ord: ministr: pag: 30. and 31.

here to performe in their owne person.

^a Bo. of ord.
minist. pag. 52.

31 The booke would haue them to *give themselves wholly to the ministeriall vocation as much as lieth in them, to apply themselves to that one thing, to draw all their care & studies that way & to that end: yet they attende ciuill offices and worldly affaires impertinent to the charge here giuen to them.*

*Consistories
in Ministers.*

^b B of ord.
minist. p. 6.

32 The^b Bish. chargeth, and the Priest promisseth to *Minister the discipline of Christ, as the Lorde hath commaunded, And at this Realme hath receiued the same according to Gods commaundements, not otherwise.* For the worde And noteth two distinct things in that clause, where all Ministers are authorized to excommunicate as well as Eb. (for the Lorde hath commaunded this *Discipline of Excom.* to all Ministers alike) also they may admonish and suspende from the Lodes supper (for this Realme hath receiued these censures, and giuen them to euery Minister according to Gods commaundement in that behalfe) yet the Bishops doe retaine the power of Excommunic in their owne handes assigninge it to such as please the most.

Christs Discipline

^c Mar. 16. 19.
Ioh. 20. 23.
Mar. 18. 18.

33 The^c Bish. likewise chargeth and the priest promisseth to vse not onely publik but also priuate admonition and exhortations both to the sicke and to the whole within his cure: yet their Chapleins and Doctors accompre their duetie discharged, if some time they preach publikelie, and neuer conferre priuately with their flocke in pointes of religion. For Christ, say they, knewe not the persons and faces of his flocke neither is this expected of his Ministers, both which bee vnttrue.

Priues admonition by Ministers

^e Booke of
ord. of minist.
pag. 61.

34 The booke at the ordination of euery Minister directeth the Bish. to say to the Minister, *Take thou authoritie so preache the wordes of God, and so Minister the holy Sacramentes in this Church.* In which wordes wee obserue, 1. That the booke and Parliament which confirmed it. doe intende that euery Minister should be a Preacher. This also may be proued by many other circumstances in this booke. 2 A full licence & authoritie is giuen to euery Minister to preach, therefore he may alwayes, after this authoritie giuen, aswell preache as minister the Sacramentes, without a licence: neither is it materiall that the^d Iniunctions or^e Aduertisements do wille that a Minister shoulde haue a licence to preache, for this booke of Ordering Ministers being authorized, 8. Eliz. cap. 1. and 13.

Ministers preachers.

Licences so preachers.

^f Art. 8.
2 Inuocet.
pag. 4.

Elix. cap. 12. In the Articles of Religion, Artic. 36. doeth countermaunde the Iniunctions and Aduertisementes that went before. 3. No Minister hath authoritie to preach out of any booke but *Gods worde.* 4. The Ministers and Deacons

*Texte out of
Apocrypha*

*Where Priests
should be or-
dained.*

*Bb. needs not
nor ought not
admit vaproa-
ching ministr.*

*Ministers
without a
care.*

*Coopes palls
vall staves.*

should bee ordained in the Congregation to which they are presented: not in the Bishops Chappell, else the book would not say, *Take authoritie to preach in this Congregation.* For it can not be imagined that all the Priestes which a Bishop maketh haue authoritie to preach or exercise their office in the Bish. Chappell when they list. Yet notwithstanding the authority of this booke, the Bb. admit ministers who be no Preachers, whereas this booke and their owne authoritie by Lawe (*Ar- ticle Cler. cap. 13.* might aunswere any *Quare impedit*, if they would refuse a Clarke for non abilitie of preaching. Also, notwithstanding this booke, to get mony (for if that bee not their purpose, let them doe it *gratis*, but then they would not stick at it) they compell men, beeing ordered after this booke, to take new licences to preach, not beeing contented when they shewe them their letters of orders, which the Bishops at their pleasure vpon a supposed misdemeanor doe vse to take from them. Furthermore, sundrie of the Prelates doe preache and take their texts out of the *Apocrypha*, wherein they goe beyonde their commission, vnlesse the *Apocrypha* be a parte of the scripture, as one of the Bishops doeth intitle it. Lastly, notwithstanding the intent of this booke, they ordeine Ministers at large *in nubibus*, without a cure, they neuer ordeyne them in the Congregation to which they are presented, that the people of the Church (who are likelie to be most inquisi- tute into his conuersation that shalbe their Pastor) might except against them; for the Bb. willethe the people present to speake if they knew any impediment or crime in the person presented; that may hinder him from the ministry. Which (by all likelihoode) can not be meant of a people of a straunge parish, nor of the Bishops family, vnlesse the Bish. famely be like the knights of the post in *Westminster*, who know al men, their conditions, lands, and estates, though they neuer saw or heard of them before.

35 All the Bishops that be present at the consecration of Bishops should weare ^b *Coopes and Surplesses, having their Pa- stor all Staues in their handes*: they reteine the Surplesse, sel- dome the Coopes, but they neuer vse their Pastorall Staues.

*a Booke of
ordi. ministr.*

*b B of ord.
ministr. pag. 65.*

One

Of the *Queenes Iniunctions.*

36 By the *Queenes Iniunctions* (which should be executed in all her Highnes Realmes and Dominions) all ecclesiastical persons having cure of soules, ought to preach in their church,

and every other cure they haue one sermon every moneth. And in their owne person they should preach once every quarter, or

else read an Homely: so that in every parish in England, Ireland & Wales, there should haue bin twelue sermons preached every yeare; either by the Minister or his deputy (as it is expounded) and the minister in proper person should haue preached foure sermons or read foure Homilies every yeare since her Maiesty began hir raigne: yet there bee many hundred churches within theese Dominions, especially in Wales, Irelande, the Northen & Western partes, that haue scarcely had twelue sermons in twelue yeares: and there be many persons that cry formality, that come not twice in a yeare at their charge to benefite the people by any duty.

38 *Erasmus Paraphrases* should bee had in all Churches, yet the Bishops wilbe more carefull to enquire if every parish haue a surplese rather then to enioyne any booke learning.

38 Ecclesiasticall persons should not play at dice, cardes, tables, or any other vnlawful game, but vse some other honest exercise, as shooting: but the Bb. chaplains and followers, that pretend most obedience to the *Queenes lawes*, doe more offende in these matters then any other Ministers.

39 All *Nouresidents* which may dispende aboute twentie pound yearly, ought to distribute the 40. part of their living to the poore of the parish: but this is lightly regarded of the most, as I suppose.

40 Whosoever, Parson, Vicar, &c. may dispend in ecclesiasticall promotions aboute 100. ponde yearly, should giue for every 100. pound, three pounds six shillings and viij. pence yearly to so many poore schollers in the Vniuersitie or Grammar schooles, as he hath hundred poundes, that hauing profited in learning, they might bee made partners of their Parons cure, and otherwise be employed for the good of the common wealth. The Bishops doe not inioyne their Chaplains, their Deanes and Doctours to subscribe to this article, though if this one article had bene observed by our formall Prelates (who be accounted the onely obedient subiectes) as it should haue bene, and yet bee if our Bishops and

c Preface to
the Injunctions
d Artic. 3.
e Artic. 11.

12. or 16 Ser-
mons yearly
in all Churches.

f Artic. 4.

Erasmus para-
phraf.

g Artic. 9.

Dice, Cardes.

h B. of Canon.
pag. 12.

Shooting.

i Artic. 11.

Nouresidents
beneuolence.

k Artic. 12.

A charge laid
upon rich
Prelates.

regarde the Queenes orders, there would haue growed and hereafter growe more profite hereby to the Church & state, vnder hir Maiesty, then hath ensued by all episcopall subscription for these hūdred yeares. Marke Bish. it is your fault that learning decayeth, and that there wanteth a continuall supply of learned Ministers. If this Article had bene performed, there might haue bene relieved yearly, euer since her Maiesty came to the Crown about 1000. poore schollers, who for want of maintenance, haue applyed her time & trauell to other matters. Blush at your negligence herein.

*Reading the
Injunctions.*

41 The Queenes Injunctions ought to be read in the Churches openlie once every quarter, But this were no wisedom: for then the people would expect many things at the Bishops and their Priestles handes that are not conuenient to be known of the common sort.

Art. 14

*How holidays
should be
spent.*

42 The holidays should be spent in hearing Gods word, in priuate and publicke prayers, in reconciliation of enemies, receyuing the Sacramentes and visiting the poore, *using all sobernes and good conversation*, yet the Bb. them selues and their Priestles (who should be ensamples to the flocke) bestow these daies prophanely at bowles, hearing Commedies and Tragedies, &c. Which be farre from the duties both here & in the scriptures commanded.

*b Injunct.
Art. 10.*

*Superstition
pictures and
paintings.*

43 All *superstitious pictures, paintings in walls and glass windows should be abolished out of Churches and houses*: yet many Church windows bee full of such pictures, and (as I heare) the Bb. be not without such paintings in their Chambers.

*c Art. 13.
and 35.*

*Ministers
Wives.*

44 The Wives of Ministers and Deacons should be allowed by the ordinarie and two Iudices of peace. Many forward Chapleins regard not this.

d Art. 19.

*Habits and
squadrons.*

45 All Clergie people should weare their habits *square cappes, &c.* and no hattes in journeyng: yet there bee a number of the Bishops Priests that breake this order as well as the Ministers that seek reformation.

*e Art. 10.
f Advers. p. 6.*

*Travellers to
heare sermons
in strange
places.*

46 The Injunctions allow a man to be absent from common prayer at his owne parish Church, and to resort to another in the same Towne, to heare a sermon: yet the Bishops and their Officials punish men in such cases, vnder the they will giue them a Mark, or such like fee, for a licence of absence.

g Art. 30.

h. Arr. 49.

47 Where Musick is vsed in churches, it should bee in such a distinct & modest song, that the same might be plainlie vnderstood, as if it were read without singing. But the curiosity of Cathedrall churches doth disdain this simplicity.

h. Arr. 50.

48 None of the Queenes subiects should call one another *Heretike*, *Schismaticke*, or vse any such like word of reproch yet the Bb. their libellers, and flatterers, call her Maiesties subiectes (and that falslie) *Schismatickes*, *heretikes*, *puritans*, and such like, as appeareth by their pamphlettes and cholericke brables.

k. Arr. 52.

49 Whensoever the name of *IESVS* is pronounced in Sermon, Lesson, or otherwise all men should vncover their heads, and make a legge: yet the Bish. and their Chaplens seldome vse this; vnlesse it be at reading of the Gospell, as if the Gospell were more holy then the rest of the scripture, especially they forget it when lustely and branelly they sweare by Iesus.

l. Adminit.
annoyed to the
franchise.

50 The Queene accounteth and calleth them hir good and lawfull subiects, that acknowledge her Maiesty to be the sole supreme gouernour ouer all the subiects in her Dominions. But the Bb. accompt some such men papistes & traitors;

m. The conclu-
sion of the fr-
anchise.

51 The offendours against the Iniunctions are to be punished by *deprivation*, *suspension*, *excommunication*, &c. by the ordinaries. The Iustices of peace are to assist them: yet howe many of the Bb ministers haue beene depriued, &c. for not causing twelue sermons to bee preached euery yeare in their parish: For playing at Cardes, Dice, &c. For not distributing the 40. part of their tithing to the poore? For not allowing five markes to a poore scholler? For not reading the Iniunctions, for mispending the Sabboth? For not wearing square cappes? For calling their brethren puritans? &c. For not kneeling when they sweare by Iesus? And for terming her Maiesties good and obedient subiects, papistes and traytours? These Iniunctions and ordinances appointed by the Queene, are forgotten: But the Bish. be carefull enough to vrge subscriptions, *othes ex officio*, and such like vnprofitable and *Apocryphall stratagemes*, their owne deuises.

Seekers of Re-
formation good
subiects.

Violators of
the Queenes
Iniunctions.

Out of the Bishops aduertisements.

b. Arr. 74.

52 By the aduertisements, a Minister should pay for the

ARTICLES TOUCHING

*Licence to
preach.*

wax, parchment, & writing of a licence to preach onely foure pence: how this is obserued, I referre my selfe to the Licentiats and licentious preachers of our time: but of such men commonly no licence is required.

Conscience

53 No man should be absent from his cure, but in respect of Sicknes, seruise, or studie at the Vniuersities: yet it is known, that many be absent, hauing no such respectes to drawe the m away.

c. Alar. p. 9.

Chain.

54 All ecclesiasticall persons should weare in iourneing cloaks with sleeves: yet many great patrons of formality doe not vse them.

d. Adur. p. 10.

Out of the Bishops Canons.

Bb. seruants.

55 By the booke of Canons agreed by all the Clergy of the prouince of *Canterb.* The householde seruants of Bish. should be of good life, of sound religion, orderly & modestly apparelled: yet many instances may be giuen to the cōtrarie.

*c. Booke of
Can. p. 40.*

*Bb. follows
minister.*

56 None must be made minister that hath bin brought vp in husbandrie or some other base and handie craft labour, nor any but such as haue a title whereby they may liue if they become blinde, and fall into any languishing or continuall sicknes: yet the Bishops make their blinde porters, and such other worne and forlorne seruitors, ministers, hauing no title but the ministerie to relie vpon.

*(Booke of
Can. p. 5.)*

Aduoufons.

57 The Bb. should not graunt to any the next or 3. aduoufons of any prebende or benefice, for they say those aduoufons are farre from good doing and christian charitie: yet presentations and aduoufons to churches before they be voyed, be notoriously and vsually graunted by the Bb.

*g. Booke of
Can. p. 5.*

Booke of Mar.

58 There should be in Cathedrall Churches, in Prebendaries and Deanes families, the booke of *Martyrs*, that all commers in might reade it, yet the most doe want it, as I am perswaded.

*h. Booke of
Can. p. 6.*

Chancell. ciuilians.

59 Euery Chauncelor, Commissarie and Officiall should be learned in the *Ecclesiasticall and ciuill lawes*: yet many ministers vterly ignorant in those faculties doe beare such offices.

*i. Booke of
Can. p. 10.*

*Vnpredaching
must. should
be Scholemasters.*

60 All vnpredaching Prelates should teach children to write, to knowe their duetie to God and others: yet the parishioners are burdened to finde schoolmasters for theese matters.

*k. Booke of
Can. p. 16.*

61 Churchwardens should be chosen by the minister & people,

*l. Booke of
Can. p. 17.*

people, they should admonish and warne *an* (noble or vnnoble) *election* in
 that offends others by adulterie, drunkennesse, much swearing, ban-
 drie, vsurie, and other wickednesse in life. And if they will not
 heare the Churchwardens, the Churchwardens should shew
 the fault to the Parson or Curat (be he neuer so base) *the people* should
 more sharplie and vehemently reprove them. And if they conti-
 nue still, they should drine them from the communion till they bee re-
 formed. This profitable order of discipline is altogether negle-
 cted, both it & election of Church-officers by the people, are
 reputed dangerous, seditious, and scismaticall in those that
 seeke to haue the established soundly practised and prosecuted
 with effect.

Discipline

a Booke of
 Canons, 25.

62 The whole cleargy of that Prouince do agree, that
 Nonresidence is a thing in it selfe to be abhorred and odious to the peo-
 ple, & pernicious to the Church of God: yet they retaine nonresi-
 dent Chaplens about them daily, countenancing such men
 most oppugning in Parliament the Nobility and commonal-
 ty that speake against it.

Nonresidence.

b Ibidem.

63 No man should haue about 2 Benefices at once, not
 distant a sunder about 26 myles; yet many haue 3, or 4, scat-
 tered one from another 100 myles.

a Booke of
 Canons, 36.
 b Article of
 Religion, 33.

64 Al^l men should eschewe the company of an Excom-
 person, *he should be esteemed an heathen and publican*: yet our iolic
 Prelates (such is their learning euen in the common articles of
 our religion) doe call our Excommunication a civil discommuning,
 and make no scruple to company with such persons. I doubt
 if the matter were well examined, the most of the Bish. them-
 selues haue bin excommunicate *ipso facto*, and still continue in
 that state for the breach of the statute of Magna charta, and in-
 finite Prouinciall and Nationall constitutions. Wherevpon
 they are disabled to sue any actions, and are to be esteemed as
 heathen and publicanes.

Company of
 excom 20. 11. 11.

It were endlesse to reccount all the cases wherein the Bb.
 their Officers, their Chaplens and hang-bies doe offend a-
 gainst our Synodall and Prouinciall constitutions, agaynst
 their owne bookes and Articles, published in their Synodes
 and Conocations. It would make a large volume to remem-
 ber wherein they proceede and giue sentence in their courtes

con

contrarie to the Statutes and common lawes of this Realme. This much is sufficient to set the Gentlemen Students of Englande a worke, to searche more narrowlie into these things then they haue done, that they maie by their paines in studie, redeeme hir Maiesties lawes from the captiuitie, wherein they are detained by the Cleargie. By these Articles it appeareth, that our Bishops doe not of conscience to God, and honour to hir Maiestie, exclaime against the Seekers of Reformation, for not yeelding in all thinges to hir Injunctions, lawes, and other proceedings. For if they did *bona fide & ex animo* in deed honour hir Maiestie, and seeke the aduancement of the Gospell of Christ Iesus, they woulde be more carefull and sedulous to see the profitable and necessarie ecclesiasticall lawes put in execution, rather then to enforce such as be lesse profitable & needfull. For whether is it more requisite to the glorie of God and good of hir Maiestie and this Realme, that Ministers shoulde Catechise their Parishes, that they should debarre notorious offendours from the Communion; That Sabbath dayes shoulde be kept holy, That Church Wardens and Ministers should admonish priuately all (euen the most Noble) to leaue their fautes, That Nonresidents and fat beneficed persons, shoulde relieue the poore at home, & studious scollers abroad, That there should be twelue sermons yerlie in euery parish through Englande, Wales and Ireland, That no Aduowsons should be graunted, That the pernicious and detestable sinne of *Nonresidence and Pluralities* shoulde be reformed, and such good orders practised, Is it not more requisite, I saie, that these thinges should be looked vnto, rather then the wearing of a surplesse (Marrying with a ring, Christening with a crosse, Subscription to an Article, and such like.) Yet it is apparant to all men, that Bishops, their Officialles, Deacons, Doctours, and Favourites are more curious in vrging and vsing the latter then the former: yet both haue like authoritie from hir Maiestie and them selues. I suppose the Bishops and their followers would be as vnwilling to execute the Queenes lawes and Injunctions, as any fauourers of reformation, if they were vrged there vnto in earnest. It is certaine, that the Bb. can tolerate the neglect of all these and innumerable other duties in one of their flatterers, whereas if a man bee but suspected to mislike in heart the Lordlie gouernement of Bishops, hee shall

shalbe sure to haue all extremitie shewed against him if hee
 offende but in the least ceremonie. Yea greater seueritie shall
 be vsed for neglect of the least and most improfitable obser-
 uation, then for neglect of the most necessarie and important.
 O Englande, Englande, howe long wilt thou bee misled by
 those carnall wordlinges that haue their speciall care to ad-
 nance and inriche them selues and their posterity, rather then
 to obey thy lawes or the lawes of thy God, bee they netter so
 holy, so necessarie and godlie! Who hath bewitched thee,
 that thou canst not see that they bee more rebellious, more
schismaticall, more dilloyall and disobedient subiectes, vwho
 acknowledge thy lawes to bee good and godly, but doe des-
 pise them, euen the greatest of them, then they that yeelding
 to the greatest matters, doe of conscience refuse such thinges
 as be least profitable and expedient in any Church, O that hir
 Maiesty would appoint faithfull, trewe, christian and English-
 harted men indeede, to examine these thinges: to call the Bb.
 their Chaplens, and Officers to account in these matters, shee
 shoulde finde that they bee of the most vnduetiful subiects in
 all the lande, and they that be now least regarded, would bee
 founde the most trustie, most godly and obedient of all other.
 My wordes will proue true in the daies of triall, when these
 things shall be regarded and rewarded with indifferency, and
 then (Bishoppes) assure your selues that the day of your deso-
 lation is at hande.

Howe long O Lord holie and trewe! } Reuel. { 6.10.
 Come Lord Iesus, come quickelie, } { 22.21.

K

Ccr-

Certaine Questions or Interrogatories, drawen by a fauourer of Reformation, out of the former treatises and other writings concerning Reformation, wherein hee desireth to be resolved by the Prelates which the Printer hath thought good here to annexe.

Quere, whether the right honorable and chiefe Iustice of England Sir Christopher Wray Knight did not at the examination of *H. Barrowe* in the Bish. of Londons pallace, affirme that men should incurr no penaltie for opinions which they helde doubtinglie. And whether a man may not without breach of lawe *Diuine* or *Humane*, for his further satisfaction make *quarres* and doubties in speciall causes, shewing withall the reason of his doubting: affirming nothinge peremptorily or positiuely, but submitting him selfe to sounde resolution. If that be graunted, why may not I be a *Put-case*, & say as followeth:

Queras de
dub. i. legem
bene discere
fi vis.
Quarere
dat sapere,
&c. layeth
Littleton,

2 *Quare*, whether the forme of praier, administration of the Sacramentes, attire of Ministers, and other Church-ceremonies in Englande, doe more agree to the Apostolical & primitive order, or to the vse of the Romish Church. And whether popish orders be more seemely & conuenient, then the Apostolike.

English order.
Papish order.

3 *Quare*, whether our rites and ceremonies taken from the papistes, doe not giue them offence and harden them in their sinne, seeing *Harding* doeth gather thereby, that *Pope-rie* is not so ill as it is commonlie reputed. And *Bristowe* saith, That our religion and Communion were nothing worth, unless we borrowed from them, & their Masse-booke: & whether al indifferent things that giue offence vnto the weake, ought not by *Pauls doctrine*, be remoued from the church.

a Preface
the answer of
the Apolog.
b D. Fulcr.
Ret: pag. 97.
c 2 Cor. 8. 10.

Cap. Surplisse
&c.

4 *Quare*, whether the square Cappe, Surplisse, and other monumentes of popery and idolatry condemned in generall by the Queenes *Innuitions*, Bishops *Articles*, and *publike doctrine* of Englande, and other Christian Churches, misliked and wished to be abolished by *Bullinger*, *Alasco*, *Bucer*, *B. Pilkington*, and *Bale*, derided by *Bucer* and

d Art. 23.
e Caus. 27th
59. 1559.
f Ramm: com:
pag. 596.

Herm. confess. 538. h Martyr Epist. pa. 11. 27. annex. loc. com. i His indgement written 5. E. 6. Septem. 10. k Cram. Liturg. An. in opus: p. 158. ad Cram. opus: & ad Hood: in opus: l Lett. to the E. of Linc. oct. 25. 1564. m Declarat. of Bucer, artic: pa 97. 99. n B. Fike: Lett. to the E. of Linc.

Mai-

o. *Act. and*
Mon. 1430.
 o. 131.
 p. *Epist. Mar:*
pag. 1127.
 q. *In opus.*
 r. *Act. and*
Mon. 1430.
 s. *Act. and*
Mon. 1430.
 t. *In Lu.* 33.
 v. *Instit. lib.* 4.
 cap. 10. 329.
 w. *Epist.* p. 70.
 x. *Act. and*
Mon. p. 143.
 y. *Act. and*
Mon. 1659.
 z. *Admons.*
to England.
 a. *pag.* 219.
 b. *pag.* 206.
 c. *Declar. of*
Rom. art. 10.
 d. *Catech.* 1.
 e. *part of his*
works. *pag.* 86.
 f. *1st Cor.* 14. 4.
 g. *1st D. Brid.*
defens. p. 33.

Maister Fox, refused to be worne by ^p Peter Martyr, ^r Bucer, ^s Hooper, ^t Rogers, ^v Humfrey, ^w Philpot, ^x Bradfort Haddon, & ^y Saunders, (as I haue credibly hearde) whether the Surplessa called by ^z Martyr, monstrous apparell, by ^a Calvin, Player-like apparell and vaine visardes, by ^b Beza, Insignies of the Baaliticall Priestthoode, by B. Ridley, ^c foolish and abhominable, too fond for a vice in a play, by D. Taylor, ^d apish toyes, and toyishe trumperie, by D. Poinet, ^e a Porters weeds at Billingsgate, by the Bee-hine of the Romish Church, ^f a smocke and long short, by Bale, ^g pretie toyes, by Becon, ^h Histrionical, semicall, and hick-corn-like apparell. Whether I say this apparell thus accounted of by learned men (the best iudges of decencie) be decent & comely for a preacher of the Gospell, and whether things vncomely should not by ⁱ Pauls doctrine, be abandoned the Church?

5 *Quare*, If Maiors, Iustices, Stage players and others, may not as well be enforced to subscribe to the Bishops three articles by the stat. of 1. *Eliz. cap. 1.* as Ministers, seeing the stat. (vrge by ⁱ D. Bridges to that purpose) doeth reach to them as well as Ministers.

6 *Quere*, If the Bb. that appoint other prayers to be vsed in the Church besides the prayers in the Communion booke doe not offende against their owne articles and the statute of 1. *Eliz. c. 1.* which inioine that Ministers should vse the forme of publike prayer prescribed in that books and no other. Itē, whether the Bb. thus offending against the stat. ought not to deale more mercifully with the ministers who haue offended in like quality.

7 *Quere*, whether the *Marchionites* did well, who (as *Christostome* vpon the words, *what doe they that are baptized for the dead* reporteth) when any of their *Catechumens* or *nonices* in religion did die, had wont to hide one vnder the bed where the dead man was laide, and did aske the dead if he would be baptized: in whose name the partie vnder the bed did aunswere, *That is my desire*: whereupon the liue man was baptized for the dead. And whether the questions and answers at the baptizing of Infants in the communion booke bee not of like nature. When the Minister saith to the childe (as fit to conceiue as a dead man) *Wilt thou be baptized in this faith?* and the godfathers make answer, *That is my desire.*

8 *Quare*, Whether a man may with safe conscience sub-

Subscriptions

*Publike
prayers due the
communion
booke.*

*The Marcionites
made us.*

*Questions to
answers.*

*Psalmes in the
booke of com.
prayers*

scribe that the booke of comon prayer conteyneth nothing contrarie to the Scriptures, whereas the translation of the Psalmes therein comprised in addition, substraſtion and alteration differeth from the trueth of the Hebrewes in 200. places at the least.

*Libelling and
Rayling.*

9 *Quere*, Whether it be agreeable to the word of God, law of England, and practise of any well governed Church, to punish that which is taken for slaunders, ribaudry & villanie, with returne of libells, ribaudrie and villanie. And whether *Almond for the Parret, Martins Mowethes minde, &c.* doe not as much offend that way, as *Martin Marprelate*, or if they offend at all, why are they suffered, not punished?

*One o' them
saith. I pro-
fesse Rayling.*

*Purchasing
landes.*

10 *Quere* of *Matthew^a Sutcliffe* (who is alwaies carping at *M. Cartw.* purchase) why *M. Cartw.* may not sell the landes which he had by discent from his father, and buye other with the money, as well as some of the Bishops, who by briberie, simony, extortion, racking of rent, wasting of woods, and such like stratagemes, wax rich and purchase great Lordships for their posterity.

*Disfaming the
Queene.*

11 *Quere*, If the Bishop, that^b affirme it is lawfull to giue livings appointed for ministers to lay men, or *D. Bridges^c* affirming that a priest may bee Lord ouer her Maiestie, or *Doe^d* *Bancroft* that^e calleth hir Highnes a *pety Pope*, doe not dis- fame and dishonour her Maiesty, and are therefore felons.

Supremacy.

12 *Quere*, If the Prelates who say^f that the othe of the Supremacie importeth that hir Maiesty may deuise vwhat Church-gouernement she pleaseth, be not in the worde of a Prince and by award of lawe *Malicious persons*, seeing therein they ascribe more to hir Highnes then the *Oth of Supremacie* with the exposition thereof importeth. And whether the Seek. of Reformation yeelding to the othe with the exposition, be not hir Highnes good and obedient subiectes.

*Archbishops of
Cants. popes.
Hugo the
Pope.
Legate.
Pope Ur-
bane.*

13 *Quere*, Why the Archbishops of *Cants.* should not rather be called *Popes* then *Primates of all England*, seeing^g that a^h Cardinal gaue them the name of *Primates*, & aⁱ *Pope* did asigne them the name of *Popes*.

*Disfaming of
L. Bb.*

14 *Quere*, If *Wiclene, Luther, Caluin, Latimer, Tindall, Barnes* and other were now aliue, and should speake against the Lordship of Bishop, as they doe in their writings, to which prison the Bishops would sende them, whether to the *Fleet*, *Clinke*, *Marshallsie*, or *gate house*. Whether bookes seene,

al-

*a Eng. brewe
11/6.*

*b Admonit:
against M. M.
pag. 5.
c D. Bridges
defen p. 43
d D. Banc.
serm. p. 68.
lm. 19.
e Bb at the
examina-
of Barrow.*

*f See^h Lamb.
Perce of Kent:
pag. 65. Cant.*

allowed, & publikelie folde by authoritie, doe containe mat-
ters of felony, and diffamatory to the Queene.

15 *Quere*, wherein the papists haue deserved so well that
mainteining errors, heresies, and blasphemies, accounting in *Papists fa-*
generall our doctrine, our Bishops and Magistrates, hereticall *uoured.*
and impious, should finde more grace then Seekers of Reformation, and why they should not be condemned as felons for
their abominable doctrine.

16 *Quere*, If the Bb. proceeding against men *Per ordinem Inquisitionis*
inquisitionis (as Do. Cosins said at the examination of Maister
Cartw.) doe not therein imitate the papall order vsed by the
Eb. in time of cruelty and blindness.

2 John 18.
19. 20. 21.

17 *Quere*, If Christ were before the Bishops, & were de- *Orb in open*
maunded of them concerning his doctrine, and should an- *casus.*
swer, *I spake openly, &c. why aske ye me aske them that heard mee*
what I said vnto them: beholde they know what I said, whether ma-
king this answer, he should be committed as Maist. *Bambridge*
and Maist. *Iohnson* were in *Cambridge*, and as many other god-
ly Ministers be ordinarily vpon like occasion.

18 *Quere*, If by the Iudiciall lawes, by the course in the *General of the*
Chancerie, or *Star chamber* any man be forced to sweare before
he knowe the cause (at least in generall) whereunto he is to
take his oath.

19 *Quere*, whether by the lawes of Englande, every Bish- *Confirmation*
is not bound to confirme children, as well as Ministers to marry *of children.*
with a ring, & whether popish young men not yet confirmed,
by any Bishop, may not without daunger of lawe refuse the #
Communion, seeing by the booke of Common prayer, none
must receyue the Lords supper, till he be confirmed.

a Bristow
Motes.

20 *Quere*, whether an ecclesiasticall Iudge may punish *Bri-* *Spiritual*
stowe the papist for writing that our Communion booke is *comes pmiss-*
an *apoc* imitation of the Masse booke, seeing the statute giueth *ing depraues*
onely that authority to Iustices of peace. Item, whether *Bri-* *of the commu-*
stowe deprauing the Communion booke, may bee deprived of *nion booke.*
all his *Spiritual* promotions for the first offence against the sta-
tute, seeing the statute appointeth, *That he who the second*
time depraues the Communion booke, being convicted thereof by
verdict, &c. shall be deprived of his spiritual promotions. Item,
whether the lawe doeth not fauour the puritane as much as
the papist.

61. Eliz. c. 2.

21 *Quere*, whether Adultery is to be punished by the Or- *Adultery pu-*
di- *nished by Ju-*
dic. of peace.

dinarie, seeing the punishment thereof (without any saving to the spirituall Court) is given by statute to the Iudices of peace. And whether a man may be punished by two corporal or pecuniarie punishments in two severall Courtes for one & the same cause.

c. 18. Eli. c. 3.

Articles p^{re}
the v^{er} without
the Queenes
offens.

22 *Quere*, If any Ordinary haue contriued, promulged, & published Articles in his owne name without assent of her maiesty vnder seale, and inforced his Highnes subiectes to subscribe vnto the same: And for not subscribing, haue suspended or deprived them. And whether an ordinary thus doing, may not be ^a imprisoned & fined at the Queenes pleasure.

Citizenship or
dinarie, to de-
pose as witness
for.

23 *Quere*, whether an Ordinary may cite a man to appeare before him in his Court to depose as a witness, seeing Justice Fitzherbert sayeth, That it is extortion and wrong to the partie. And how many of the Bishops be extortioners in that behalfe?

d 25. Hen 8.
cap 19. i. Ed.
c. 1. Ro.
c. Just. of peace
pag. 172.
Crompt. pag.
220 b.

Accuse a
manifest.

24 *Quere*, whether a man shalbe examined by othe of any thing that soundeth to his reproch, seeing that Nullus tenetur seipsum perdere: and vvhether scisme and heresie be not matters that sound to a mans reproch.

Crompt. Just.
of peace. p. 183

Offen-
sive.

25 *Quere*, If an Ordinary or an ecclesiasticall Iudge, citing men *ex officio* to sweare to accuse them selues in causes neither matrimoniall nor Testamentarie, vvhether a Prohibition will ly against them or not. Item, whether the ordinary & his officers ought not to surceale this maner of proceeding vntill the controuersie moued, and now depending thereupon in the Starre Chamber by meanes of the opinion of some of the reuered Iudges, and of the right worshipful and famous Lawier Maister Cooke, be determined. Item let it be inquired, if (notwithstanding the displeasure of the Prelattes) the graue and learned Iudges of this noble realme, priuately debating these matters, vvhether among them the maior sanior pars polloi kagathoi, did not condemne the practises of the Prelates, as repugnant to lawe.

Regist. pag.
2. Rastall.
p. distribution 5.
Crompt. Just.
of peace p. 520.
last edn. Fitz-
herb. natu. bre
pag. 41. m. 2.
Ed. cap. 12.
Rastall Tisbe
10. Pulson
Tisbe: 31.
25. H 8. ca. 24
preamble.

Ma: Crompton
seemeth to
dinke: as the
20. be for this
matter in the
premiere,
Just. of peace.
36. But quere.

26 *Quere*, if these Iudges that haue onely commissiō to deale in causes which by Ecclesiasticall authoritie may bee ordered, may cite men *ex officio*; to take an othe before them, to accuse them selues, in matter neither Testamentarie nor Matrimoniall. Item, vvhether such ecclesiasticall Iudges may by vertue of the statute whereupon their commissiō is grounded, commit the Queenes naturall subiectes to prison, especially

h Eli. cap. 11
Rast. Crown.

High Com-
missioners.

*a See the writ,
De homine
Replez, the
stat. Roll. in
mainprise.*

ally for refusing to take the other *ex officio*, beeing ministred in causes neither *Matrimoniall* or *Testamentarie*, item, whether they ought to commit any of the Queenes subiectes to prison when he tendreth sufficient baile or suertie, especiallie in cases where baile and mainprise is not taken away by anie statute. Item, whether if any in such case be committed the Writt *De homine replegando* doeth not ly. Item, what satisfaction *D. Cosins, D. Bancroft, D. Stanop*, and others having onely commission in matters to be ordered by Ecclesiasticall power, ought to make hir Maiesty free and louinge subiectes, who haue *ex officio* bene cited by them to take an othe in cases neither *Matrimoniall* nor *Testamentarie*, and refusing to take that othe haue bene* committed by great multitudes to prison without baile or mainprise in cases not debarred from baile by any statute. Item, whether may they keepe such persons by them committed in prison monethes and yeares, without calling them to answer, or accusing them of any crime. Item whether for this dealing they doe not deserue to *smell* of the like punishment themselves.

** Quere if a
writ of false
imprisonment
will not lye in
this case.*

27 *Quere*, whether any Ecclesiasticall Iudge hath conuented, examined and committed any for matters felonious touching the Queenes Crowne & dignitie, & whether these practises do not *instante, instantinu, instantissime* craue the *b* *Præmunire*.

b 16. R. 2. c. 5.

*a H. 7. 4. b. per
Huffey, chiefe
Justice.*

28 *Quere*, Whether Sir *Iohn Markham* chiefe Iustice of Englande, did not tell King *Edwarde* the 4. that hee might not arrest any man for suspicion of treason or felonie (as any of his subiects might) because that if he did any man wronge, the party might haue no action against him, And if the King by imprisoning a man may do him wrong, much more may any subiect: and therefore good remedy may be had against him for so doing.

*Imprisoning a
man without
warrant of
lawe.*

29 *Quere*, Whether it be not lesse danger to blaspheme the blessed Name of the great God, then to speake against a *L. Bishop*. Item, whether moe Ministers haue bene deprived within these seauen yeares for ceremonies of men, then for drunkenesse, whoredome, and other breaches of the lawe of God.

Blasphemy.

30 *Quere*, Why the Ministers may not refuse to weare a Surplesse, as a *Bishop* to vse a *Pastoral staff*, seeing the lawes enforce them both alike.

*Pastoral
Staffe.*

Section of Re-
formation doe
suffer for Re-
gion.

31 *Quere*, whether the Seek of Reformation bee not in-
dangered of their life, and withelde from their liberty on
lie for their religion and conscience in matters of Discipline
professed by forraine Christian Churches, yea and authori-
zed in Englande, seeing notwithstanding all furnises of disfa-
ming hir Maiesty or raising Rebellion, their life and libertie is
dailey offered to them by the Bishops, if they will renounce
and recant their opinions. And whether haue the popishe
persecuting Bb in Englande at any time heretofore executed
any man that agreed with them in their faith and doctrine,
onely because he differed from them in matters of externall
forme, ceremonie, or circumstance, as our Bb. doe attempte
by all indeuour.

Preperal pur-
pose no argu-
ment of malice

32 *Quere*, whether he that publisheth bookes with long
premeditation & fore-consideration, doeth publish the same
with a *Malicious intent*, seeing fewe men deale in any action
of importance, but with great deliberation, though it falleth
out often, that they labour against the trueth, and yet are not
adiudged *Malicious persons*. And if a Councelour or Serieant
doeth often by long aduise argue against the trueth, and yet
without *Malice*, howe doeth a prepeded and long intended
purpose proue a *Malice in the Authour of Demonstration* or any
other writer.

John Dalbys
Argument or
gainst Master
Vdall.

Officials must
take notice &
iudge accord-
ing to the
common lawes.

33 *Quere*, whether the Bishops and their Officialles doe
not oftentimes in their Courts, sentence, iudge, and rule cau-
ses contrarieto the customarie and common lawes of Eng-
lande aswell as against the Statutes in matters of *Diffamati-
on, Testaments*, & such like. And whether a *Prohibitio* shoulde
not proceed against them, if they determine any case against
the common lawes, customes, and statutes of this Realme, se-
ing the statute of 25. H. 8. cap. 19. doth establish such spirituall
lawes onely as are not repugnant to the *Lawes, Customes, and
Statutes of Englande*.

Canon and
small lawes.

34 *Quere*, By what authoritie the Bishops do practise &
put in execution the *Popishe and Ciuill Lawes in their Courtes*,
seeing the statute of 1. Eliz. cap. 1. doeth banishe out of this
Realme *all forreine authoritie*. And seeing the statutes of 25.
H. 8. cap. 19. 1. Eliz. cap. 1. doe onely respect and authorize
the *Canons, Constitutions, &c. Proninciall and Synodall*, vvhich
haue bene made heretofore within this Realme of Englande.
And whether the Bb. for doing thus be not in the *Premunire*

or

or at least imprisonable and finable at his Maiesties pleasure.

35 *Quere*, Whether they inroache more vpon the ciuill Magistrate that in their Courtes deale with Willes, Tithes, Mariages, &c. That excommunicate for mony, That disable men by their excommunications to sue any accusations in their own right, That make dispensations to their Soueraigne vnder their hande and seale, That be Barons of the Realme, Iustices of peace, And punish by fine, imprisonment, losse of limme and life, as the Bishops doe, or they that onely admonithe, suspende and excommunicate, and proceede no whit at all any further, as the Elders *sh*ould doth & would doe.

The Bishops conuene some, each vpon the Magistrate.

The Quene may not doe sone la full thinge, vniuersitie Archbishops of Canterburie, vnder his hand and seale dispense, with her Statutes: 25. H. 8. c. 12. 1. Edw. 6. c. 1. Rom. 3.

36 *Quere*, if *Moses* vnder the lawe, and *Timothe* and others vnder the Gospell needed to haue a forme of gouerning the Church prescribed to them by the Lorde, whether it be likely that the Lorde would commit the Church to *M. Whiggis*, *M. Cooper*, *M. Bancroft*, and others to frame a gouernment for it at their pleasures.

A set gouernment in the Church.

37 *Quere*, if *Iohn a Scile* should graunt there vvas a gouernement by Elders in the primitiue Apostolicall and best Church, and should call the same gouernement a popedom and tyranny, whether this did not rankly smell of detestable atheisme.

The Apostolicall gouernment called a Popedom.

38 *Quere*, whether the Churches in *Scotlande*, *France*, the *lowe Countreies*, *Hungarie*, *Polelande*, *Bohemia*, *Saxonie*, *Helmetia*, And the County *Palatine of Rhene*, and vvhether *Zuinglius*, *Oecolampadius*, *Melancthon*, *Bucer*, *Caluin*, *Zanchius*, *Marsyr*, and infinite other, the most excellent Diuines in all the worlde, commending the continuance of the Eldership, be all Anabaptistes, Puritanes, rebells, traytours, mare-states, mar-lawes, mar-princes, and mar-alls: and Doctor *Bancrofte*, *Mathewe Suchesse*, &c. the onely good subiectes in all the worlde.

Fauourers of Reformation.

38 *Quere*, whether the *Kinges of France* and *Scotlande*, the *Princes of Condy* and *Orange*, the *Duke of Saxonie*, the *Countie Palatine of Rhene*, the *States of the lowe Countreies*, manie other *Dukes*, *Princes*, *Marquesses*, *Earles*, *Barons*, and other *Christian* and noble *Potentates*, who haue maineteyned, fauoured & preferred the *Ministers* that stande for *Reformatiō*. And whether here in *England* the *Right honorable Sir Ni-*

Patrons of the Ministers that seeke for Reformation.

chulus Bacon, L. Keeper, the Earles of Bedford, Warwick, and Leicester, Sir Francis Walsingham, Sir Walter Mildmay, Sir Amias Paule, & other right noble Lords, Councillours, Countees and Countesses would haue countenanced and protected the Ministers that seeke Reformation, if they had perceiued them to be enemies to the Queene and state, worse then papistes and miscreantes: And whether our Prelates be more trustie to hir Maiesty, and prouident to auoide daunger, then those excellent personages were.

*A denonstion
suspension
Excommunicat
casus.*

40 *Quare*, whether a Minister ought not to admonish the mightiest Prince of his duty, refuse to administer the Sacrament vnto him, if he be a notorious offendour and pronouice him to be no member of Christ in the Communion of Saints, if he continue obstinate in open crimes. And whether vnder the Lawe *David* and other Princes were not subiect to ceremoniall expiations, and the spirituall power of Priestes and Prophets. And whether *Ambrose* did well in vsing like authority towards an Emperour. And lastly, whether *Zanchinus, Calvin, Bucer, Novell, Jewell, Bilson, and Bridges*, approving the like, be traytours, popes and tyrants.

*a Psal. 51. 7.
b 7 beodores.
Lib. 5. cap. 18.*

*The desired
forme of govern
ment, in corrupt
use in England*

41 *Quare*, why there may not be vnder a Christian Magistratre, *Pastours, Teachers, Elders, Deacons, and widowers*: aswell as *Parsons, Lectures, or Schoolemaisters, Church Wardens, Chancellours, Collectours for the poore, and Hospitall Women*, seeing these doe and may execute in authority and power the whol forme of Church. gouernement desired, though their practise thereof is infinitely corrupted against the Canons of the Apostles, to the daunger of the Church, and dishonour of the Realme.

*The high com
mission like
an Eldership*

42 *Quare*, whether the Ecclesiasticall *High Commission* be not in effect an *Eldership*, wherein some gouerne with ministers, who by profession are temporall Lawiers, Ciuilians, meere lay men. And whether their gouernement consisting of spirituall and temporall persons, be a *Medley*, a *Linse wolfe Discipline*, as the *Remonstrance* calleth the *Eldership* which is now desired.

*The gouerne
ment by Elder
confessed by
the enemies
therof.*

43 *Quare*, If the sole gouernement of a Bishop in a Dioces bee sufficient and most agreeable to Gods worde, why is there an Ecclesiasticall Commission standing of many persons ciuill and Ecclesiasticall, or if an Ecclesiasticall Commission

*No difference
ment to reform
ble the high
Commissioners
so an eldership.
Princes & No
bles in France
haue borne of
the Eldership.
not inferior to
the high Com
missioners.*

tion

sion be needefull in a Realme, who in a province, if in a Province why not in a Dioces, if in a Dioces, why not in a Deanrie, if in a Deanrie, why not in a Parishes? Lasty, why might there not without absurditie and breach of true vniformitie be planted in some places already capable, a *Consistory or commission of Elders*, though the like cannot presently be accomplished in all, seeing there be newe ecclesiasticall Commissions erected, Deanes and Chapters, Broken musicke and Organes in some places, not in other.

*Eldership in
some places,
though not in
all.*

Hearken you Sages and Iudges of the lawe,
it is expected at your hands, that you see
Euen Iustice done to all her Highnes subiectes, rich and poore,
without regard to any person, papist, Protestant, puritane, or other. If you suffer her
maiesties subiectes that sue for iustice to be
cited, punished, imprisoned, vexed and molested against lawe, by any Prelate or ecclesiasticall iudge whatsoever, doe incurre the
breach of your oath, & are in her maiesties
mercy for your bodies, landes and goods.

*18. E. 3. Stat.
viii. 3. Restat
Justice and
viii. 3.*

Pereat mundus & fiat Iustitia.